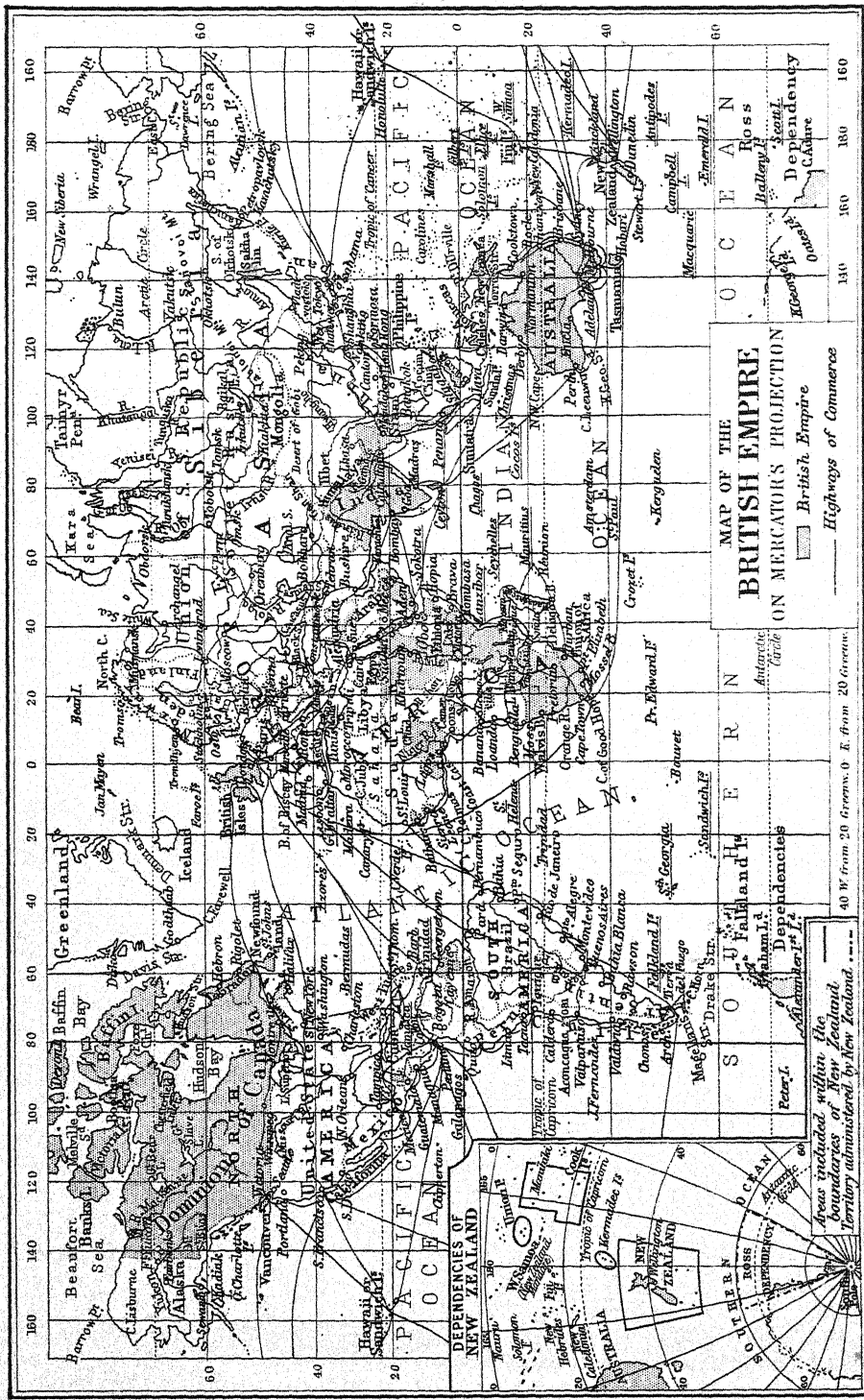


## NEW IMPERIAL IDEALS

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MAP OF THE  
BRITISH EMPIRE  
ON MERCATORS PROJECTION

British Empire  
Highways of Commerce

40 W. from 20 Greenw. 0 E. from 20 Greenw.

Areas included within the  
boundaries of New Zealand  
Territory administered by New Zealand

# NEW IMPERIAL IDEALS

A PLEA FOR THE ASSOCIATION OF THE  
DOMINIONS IN THE GOVERNMENT OF  
THE DEPENDENT EMPIRE

BY ROBERT STOKES

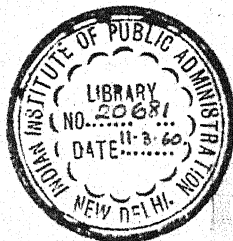
B.A., CORPUS CHRISTI COLLEGE, OXFORD

WITH AN INTRODUCTION BY THE RIGHT HON.  
LORD LLOYD, P.C., G.C.S.I., G.C.I.E., D.S.O., Etc.  
FORMERLY HIGH COMMISSIONER FOR EGYPT AND THE SUDAN  
SOMETIME GOVERNOR OF BOMBAY

COMPUTERISED

"... A common trusteeship . . . of the interests and  
fortunes of fellow-subjects who have not yet attained,  
or perhaps in some cases may never attain, to the  
full stature of self-government."

MR. ASQUITH, at the *Imperial Conference* of 1911.



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## INTRODUCTION

BY

THE RT. HON. LORD LLOYD, P.C., G.C.S.I., G.C.I.E., D.S.O.

AT a time when the representatives of the Dominions are in London for a meeting of the Imperial Conference, the decisions of which have been awaited with unprecedented interest and some comprehensible anxiety by the whole civilized world outside the British Empire, a studied analysis of the structure of our internal and inter-Dominion relations, of its dangers and defects, followed by far-sighted and courageous proposals for reorganization will be read with special interest in every part of the Empire. The author's long years of study of political and administrative problems, combined with much travel, have qualified him to make what is, I believe, a valuable contribution at an important moment towards the better understanding and satisfaction of the Empire's needs.

Whilst public attention is being more and more focused upon the possibilities of closer economic relations between scattered Empire units, there are yet only a few people in this country, and probably still fewer overseas, who realize the profound change that was wrought in the fabric and governance of the Empire by the decisions of the 1926 Imperial Conference, or who appreciate that, however beneficent may or may not be the ultimate results of the "Equality of Status" formula then arrived at, the step taken to meet individual desires has at any rate for the time being done grave injury to the co-ordination and direction of the organic whole. A perusal indeed of the White



Paper recently issued to Parliament, which deals with the legislation necessary to implement the main decisions of the 1926 Conference, shows vividly the instant need of replacing the now abandoned machinery of the past by an organization fit to take the new strains and adequate to the new conditions.

Mr. Stokes's main contentions are, briefly, that the present amorphous state of inter-Imperial relations is extremely dangerous and cannot last, but that it is possible to weld the Empire together and place it on a new and durable basis by associating the Dominions with Great Britain in the control of the non-self-governing Dependencies.

He begins by stating very fully the orthodox view of inter-Imperial relations, namely, that the Empire is more a family than an institution, that its strength lies in its flexibility and adaptability, and that more would be lost than gained by attempting to give it a definite constitution. He admits the great measure of present truth which this theory does enshrine, but he draws a disquieting picture of the future, and contends that an Empire without institutions—which is what the theory substantially implies—and therefore unable to function as a unit, is doomed. He analyses the theory, and shows with remorseless and disquietingly effective logic that in the absence of active Imperial institutions, the links of sentiment and interest, on which it relies for continued Imperial cohesion, cannot continue in their present strength. "The root cause," says Mr. Stokes, "is the absence of continuous co-operative institutions themselves. . . . What a melancholy contrast is here between the Empire and the League of Nations. The League, which is not the guardian of a type of civilization, and has no serious pretensions to be considered a State, much less to be the co-ordinating factor in a world economic unit, and which exists in fact merely for

certain very limited if important purposes in the sphere of inter-State relations, is elaborately furnished with institutions. The British Empire has almost none. The result is seen in the creation of a permanent and very definite 'atmosphere' at Geneva which all acknowledge who have dealings with the League. The League has a continuity and a political and economic vivacity which is denied to the older and more organic British League. It gets more publicity in the British Empire than the Empire itself. It co-operates more under greater difficulties. It is a standing reproach to the anarchic constitution of the Empire." However strong and undiminished the feeling of personal loyalty to the throne, it cannot supply the place of those fading feelings of kinship which, in the absence of Imperial institutions, must weaken in Dominion families with the passing of each generation from the original settlers. Those feelings must in any case be subjected to a kind of erosion through the rising force of the sentiment of Dominion nationality, the differentiation of life in the different Dominions, and contacts with the life of other countries such as the United States. Those feelings might, however, be continually revived through the sentiments of unity and comradeship which active Imperial co-operation would bring.

The strength of the author's argument lies in its double appeal—to the realist as well as to the idealist, and I am not sure that the former is not the more telling. In any case, the Empire is composed of realists as well as of idealists, and it ought to enlist the most cordial co-operation of both. But, as Mr. Stokes points out, to the Dominion realist Great Britain can only offer a security which naval economies are whittling away, a market of steadily diminishing relative importance, and credit facilities the special value of which has also been reduced. To the appeal of these, shall we say, wasting assets, Mr. Stokes would add an

interest that is already of importance and is rapidly assuming a position of predominant importance in industry. He would add a share in the control of the greatest reservoir of industrial raw materials in the world, namely, the non-self-governing Dependencies of Britain. Before developing the implications of this proposal he turns aside to make a series of extremely interesting suggestions for dealing with the situation, which may be expected where the King receives contradictory advice from some of the equal, self-governing units of the Empire; and for resolving both judiciable and non-judiciable inter-Imperial disputes.

Mr. Stokes sees in the Imperial Conference the key to our most perplexing problems. He would make it a permanent body sitting in London, the Dominions being represented upon it not always, as now, by Prime Ministers, nor on the other hand by mere officials, but by responsible Ministers with full powers. To it he would hand over—gradually perhaps and with some temporary safeguards—the control of the Dependent Empire. Through it and as part of it he would reorganize upon a truly Imperial basis the highest judicial machinery of the Empire. And representation upon it he would hold out as an object of attainment for all the larger Dependencies, groups of Dependencies and Mandated territories of the Empire, and even—upon a voluntary basis, of course—for such protected or quasi-protected States as Egypt and Irak.

These are indeed far-reaching proposals. They do not seek to avoid the difficulties, but face them, and offer the bold outline of a possible solution which, as a whole and disregarding secondary detail, seems to me worthy of the fullest consideration and attention. The effect of his primary proposal upon the Dependent Empire will be, of course, an object of special interest to those who have had the honour of sharing in the burden and care of the great trusteeship which that

Empire involves. In an enumeration of immediate practical advantages to be expected, Mr. Stokes emphasizes the advantages—which have been too long ignored—in dealing with the special problems of the Dependencies, that should accrue from a utilization of the experience which the Dominions have acquired of similar problems. He then turns to ideals of government.

Here Mr. Stokes embarks upon what many will regard as an even more interesting part of his book. He arranges the main constitutional ideals of Colonial government in three groups, based respectively on the three great principles of democracy, trusteeship and indirect rule, and attempts to forecast the most probable reactions of Dominion opinion to each. In order to do so he first passes in review the newer ideals of Empire to which these principles have led in the course of their local application to the conditions and problems of various Dependencies. He contrasts, for example, the ideals (which he summarizes happily as the building up of a “black civilization”), to which trusteeship, the Dual Mandate and indirect rule have led in West Africa, with the totally different and more European ideals which the same principles have suggested in East Africa. Similarly, he contrasts the utterly different positions of Indian Princes, Malayan Sultans and Nigerian Emirs, although in some sense all these represent examples of indirect rule. He criticizes the principle of “democracy” for backward countries on the ground that in such countries it becomes, and must become, an undemocratic principle, leading in practice merely to corrupt oligarchy. “. . . A backward country is essentially one where the bulk of the people are at a low level of civilization or illiterate. To set up in such a country the forms of democracy, which require some education to manipulate, is inevitably to hand over the bulk of the people to the control of the upper classes among them. That is actually

oligarchy or aristocracy, not democracy." In this connection he submits the Simon Report on India and the Ceylon Report to some strong criticism. He also criticizes the administrative difficulties and uncertainties of the Mandatory system, and emphasizes the disturbing effects of Zionism interpreted as leading to a "Jewish State" in Palestine, upon the world of Islam.

His general conclusion from this part of the book is that Dominion common sense would tend to discourage the application of false ideals—such as "democracy" in illiterate countries—throughout the Dependent Empire, but that the new Imperial ideals to which the principles of trusteeship and indirect rule have led, would come as a revelation to most of the Dominions, and would gradually evoke their enthusiastic co-operation.

This conclusion, taken in conjunction with his previous conclusions and with some forecasts of the development of Imperial air routes, finally leads Mr. Stokes to a very interesting and somewhat unusual view of the future of the Empire. He predicts the possibility of a far greater centralization and of a far more extensive sharing of Imperial burdens than exists to-day. He foresees, granted wise statesmanship, the gradual evolution of the Imperial Conference into a body of a kind, and exercising an authority, to which history provides few parallels. He foresees the gradual growth of a profound trust in the Conference; the grouping of Dependencies, such as the West Indies, British Guiana and British Honduras, or such as the West African Dependencies, for representation upon it; the opening up, through representation on it, of a new vista of increased independence of British India, for groups of the Indian States; the ultimate transference to it of burdens of defence and diplomacy which Great Britain can no longer sustain alone; and the general emergence under its guidance, of a new, confident and enduring Empire.

Many of the author's arguments open the door for wide controversy, not least those in which he discusses the Indian Native State problem—of all problems at once the most varied, engrossing and complex, and one, I may add, in which I do not find myself in unqualified agreement with him—but in every chapter the author blazes in greater or less degree the trail of fresh thought. This in itself is particularly valuable at the present time, for the fashioning and welding of our Empire is our own problem, peculiar to ourselves, and peculiar to our own capacities and our own genius.

In contemplating the immensity of our task we may well bear in mind Pericles' advice to the Athenians: "Our State does not enter enviously into a comparison with the laws and systems of others. We do not imitate them, but rather we provide them with an example."

Just as the American States found their own way to union, and as the German States followed a quite different road and arrived at the same goal, so we by untrod paths must travel to our solution. Perhaps the best approach to the proper consideration of the arguments presented in this book lies in the concluding chapter of Oliver's "Alexander Hamilton," which is as apposite to-day as when he wrote it:

"The final question with us, as with Hamilton, is how we may convert a voluntary league of States, terminable upon a breath, into a firm union. It is useless to regret what has been done or left undone through the last century; but it is not altogether profitless to consider in what position we might have found ourselves to-day had British policy during that period proceeded upon the centripetal instead of upon the centrifugal principle. Few will be found to deny that the Empire in such case might already have become a strong political fact; that we might have retained within our own boundaries a vast population which is now lost to us; that the resources of our rapidly accumu-

lating wealth, instead of being lent out to strangers, might have been employed in the development of our own estate, benefiting us not merely in usury but in the use. For the currents of investments, no less than those of emigration, are capable of being controlled and diverted by an intelligent policy pursuing a steady and consistent aim. . . . When we contemplate the nature of the opportunity in all its dimensions of length, breadth, height and depth, we tremble at the possibility that it should be missed."

It is now some twenty-five years since these words were written—before the Great War proved the Empire's miracle of kinship to the rest of the world, before the sacrifice of each part brought triumph to the whole. The great opportunity is still surely here, if only we have the courage and the wit to grasp it.

LLOYD.

*October 1st, 1930.*

## PREFACE

THIS little sketch of a philosophy of Empire embodies the results of many years' study. It is hoped that, in addition to its obvious primary aim of influencing policy, it may perhaps prove of interest to administrators in the Dependencies, to teachers anxious to supply their pupils with a handy introduction to Empire studies, and to the general public in the Dominions who wish to learn something of the Colonies, Protectorates and Mandated Territories.

Every effort has been made to avoid inaccuracies, and it is hoped that there are none, but it is difficult altogether to escape them in covering so wide a field. I shall be very grateful to anyone who will report them to me, so that I may correct them at the earliest opportunity.

Acknowledgment is made wherever I have consciously quoted anybody, but in extensive reading one is apt to forget sometimes where one has first seen a phrase that has become firmly associated in one's mind with a particular problem. Most of the principles discussed could be illustrated in scores of ways, but in order to use illustrations that should as far as possible be interesting for their own sakes also, I have drawn largely on Mr. Ormsby-Gore's extremely readable Reports on his official tours of Malaya and West Africa; on the East and West Africa numbers of *The Times*; on Prof. A. B. Keith's numerous works on inter-Imperial Relations; on Prof. H. E. Egerton's "British Colonial Policy in the Twentieth Century"; and last, but very far from least, on Sir Anton Bertram's able and pene-



trating survey of "The Colonial Service." I have also incorporated some illustrations from addresses of mine delivered in recent years to the Near and Middle East Association, the League of the Empire, the Kipling Society and other bodies.

It only remains to express my most grateful thanks to all the many friends in this country, in the Dominions and Colonies and in India who have assisted me in the making of this little volume. They are far too numerous to mention individually, and some who supplied me with facts occupy official positions which debar them from association with a controversial volume of this kind, although, of course, I alone am responsible for the opinions expressed; but I must make special acknowledgment of the very great help which I have received from Lord Sydenham of Combe, to whose inspiration and guidance in many important matters I owe a great debt; to my friend, Mr. Philip Farrer, whose help in disentangling certain political and financial aspects of Empire trade has enabled me greatly to strengthen the references to this subject; to Sir Joseph Nunan and Mr. Frank R. Cana, for most kind help in proof-reading, and for numerous suggestions; and to my sister, Miss Isabel Stokes, whose assistance has been absolutely invaluable.

ROBERT STOKES.

I DR. JOHNSON'S BUILDINGS,  
INNER TEMPLE, E.C.  
*August 14th, 1930.*

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# INTRODUCTION

## AIMS OF THE BOOK

"It has yet to be proved whether we can hold together a loosely-bound confederacy, scattered over the whole world, and containing large alien elements in its population."—DEAN INGE.

"No Body can be healthfull without Exercise, neither Naturall Body, nor Politique."—BACON, "Of the true Greatnesse of Kingdoms and Estates."

ONE-QUARTER of mankind are at present organized into the single political unit known as the British Empire, but how long they will continue so organized is gravely in doubt. The Dominions are rapidly developing into independent nations isolated from Great Britain, from each other and from the Colonies. Great Britain has so far failed to adjust herself to the new post-war world of large economic units by rallying her Empire about her as such a unit; and the whole future of the Colonial or Dependent Empire is being jeopardized by foolish or inconsistent policies. The object with which these pages are written is to call attention to these dangers and to suggest remedies, the cardinal principle of which is the fostering of Dominion interest in the Colonies.

Book I will criticize the official theory of the relations between Great Britain and the self-governing Dominions. It will submit that this portion of the Empire is rapidly dissolving into a mere temporary league of independent nations, and that the latest proposals—which are embodied in the Report of the Conference on the Operation of Dominion Legislation and Merchant Shipping Legislation, and which aim at giving the Dominions complete equality with the United Kingdom

—would in fact leave the Empire with no permanent common institutions of any importance except the Crown, which, for all its prestige and the deep and loyal affection which it evokes, partakes more of the nature of a symbol than of a political institution. To ask it to harmonize the often conflicting advice of seven independent Governments of equal authority, without providing any other machinery for promoting agreement between them, is to set it an impossible constitutional task.

An Empire without institutions is really almost a contradiction in terms, for no political society is likely to survive that does not fulfil some function or purpose, and this requires machinery. The Empire would be at the best a slowly scattering family, at the worst a precarious alliance. In either case it would be doomed. In short, the Empire must co-operate or collapse, but it can only co-operate through institutions. Where is it to get them ?

The argument will contend that the only natural source of Imperial institutions is the Imperial Conference, and it will accordingly suggest :

(1) That the Imperial Conference should become a permanent, instead of an intermittent, body.

(2) That there should be transferred to it most of the responsibility now exercised by the Imperial Parliament through the Secretary of State for the Colonies.

(3) That there should be set up, as permanent Committees of the Imperial Conference, a Judicial Committee and an Arbitral Committee for the liquidation respectively of legal and (on a voluntary basis) of political disputes.

(4) That it should be a recognized principle that when the King receives conflicting advice from two of his Governments, it shall be open to him to request the Imperial Conference to try and effect a settlement, and failing that, to take the advice of the Conference itself.

(5) That Great Britain should withdraw her Ambassador from Washington and leave the Canadian representative to speak to the United States in the name of a united Empire.

The first two of these proposals embody changes of immense magnitude. In associating the Dominions with Great Britain in the control of the Colonies, through a permanent Imperial Conference, they would endow the Empire at once with a constitution, with an illimitable field of co-operation, and with the uniting ideal of a common trusteeship. Such a policy would be no less advantageous to the Dominions than to the Colonies. Among the singular benefits which it would bestow on the Dominions would be a share—proportionate to their active Imperial co-operation—in the control of those tropical regions which are being increasingly recognized as the economic complement of their own temperate zones. The very real importance of this for the Dominions will be appreciated when it is remembered that the tariff systems of the Dominions are now, broadly speaking, designed to promote secondary as well as primary industries, and that the raw materials for the former must largely come from the tropics. It should also be no less an advantage to the Dominions than to ourselves that the scheme would convert the most likely of all future subjects of contention between us into a common interest administered in common. What of its effects on the Colonies?

Book II will first point out the obvious immediate advantages which the Dependent Empire should derive from Dominion association in its control—more scientific fiscal systems, more sympathetic understanding of the economic needs of undeveloped country, steadier markets, increased security alike from aggression and from exploitation, and a more varied choice of officials. Less easy to forecast must be the effects of Dominion influence on major policy. At present we are pursuing

three totally inconsistent major policies, namely: (1) democratic self-government in the East, which in practice means oligarchy; (2) white trusteeship in Africa; and (3) indirect rule in large areas both of the East and of Africa; and a local policy of Zionism in Palestine which is antagonizing the whole world of Islam. The general working of these policies will be surveyed in outline, and it will be suggested that the robust common sense of the Dominions is likely to impinge on the delicate structures of theory underlying them, with results that should be of no small benefit to the peoples of the Dependencies. In particular it will be contended that Dominion sentiment would be quick to reverse a policy that had obviously failed, and would be unlikely to tolerate anarchy for the sake of any theory. An equally real gain, but of a different kind, should accrue to the Dependent Empire from the realization by all the Dominions that economic advantages are but one aspect of the control of that Empire, and that its control involves also the greatest trusteeship in the world. The inconsistencies of our present Colonial policies are largely due to the lack of an intelligible goal, but such a goal is clearly defined for all groups of dependencies, whether colonies, protectorates or mandated areas, if all can look forward to ultimate representation on the Imperial Conference.

Peering into the future, the argument will attempt to form some picture as it may affect the Empire, of the New Age on which the world is entering, and to marshal some principles and ideals of Imperial Government which the new conditions, particularly the economic conditions, seem to demand. It will maintain that the master-key to all our difficulties is Dominion interest in, and influence on, the Colonies. The argument will conclude that it is unthinkable that the opportunities for mankind created by the expansion of England until one-fifth of the land surface of the globe has come to be ruled or

led by one tiny island, should be ignored, or that all the incalculable self-sacrifice and effort, the countless struggles of explorers and pioneers in many fields, the blood and anguish of so many wars, and all the high hopes that have gone to the building up of the Empire, should be wantonly thrown away or inadvertently let slip, by the present generation. Finally, it will seek to draw from the analogy of some Empires of the past, and from the romance of the Empire as it is, some vision of what it may become.





BOOK I

*THE DOMINIONS: A DISSOLVING  
EMPIRE*



## PART I. INTER-IMPERIAL RELATIONS: THE THEORY

### CHAPTER I

#### THE THEORY STATED

"The British League of Nations starts where the other League of Nations leaves off. It assumes peace among ourselves, and on that foundation we can co-operate for mutual welfare, mutual benefit, mutual development."—MR. AMERY, at Victoria, British Columbia, January 8th, 1928.

THE outstanding fact which has completely altered the whole problem of inter-Imperial relations from what it was before the war is the new status as *nations* which the self-governing Dominions have acquired. This has created an entirely new position, and one to which the Empire has not yet adjusted itself. It is possible that its continuance may depend on its capacity to adjust itself wisely and with foresight. So far, the implications of the new position are hardly even realized.

Briefly, the new status of the Dominions raises four fundamental questions, which the Empire must face and solve sooner or later :

(1) How far is the development of Dominion nationality to go ?

(2) What is to be the new relationship between Great Britain and the Dominions ?

(3) What is to be the constitutional machinery of the new Empire, and what is it to do ?

(4) What is to be the relationship of the Dominions in their new status to the Colonial or Dependent Empire ?

So far the Empire has made considerable progress towards answering the first question, much less pro-

gress with the second and third and none with the last. In respect of the first three a rough theory, as it were, has been outlined, and one that to a very considerable extent does correspond with the facts, though it ignores some of the facts and almost all the difficulties.

This theory may be roughly described as the view that Imperial constitution-making is superfluous, because of the ties of race and sentiment which unite the Empire, and dangerous because it produces unadaptable rigid structures. But though it may be cursorily summarized, this official theory is really far from simple, in spite of the limited field to which it confines itself. On the contrary, it is an extremely subtle exercise in political metaphysics.

The Report of the Imperial Conference of 1926 gives at once the best and the only really authoritative exposition of this doctrine. The passage is contained in the Report of the Inter-Imperial Relations Committee (the Balfour Report), which was subsequently adopted by the Conference, and is as follows :

“ The Committee are of opinion that nothing would be gained by attempting to lay down a Constitution for the British Empire. Its widely scattered parts have very different characteristics, very different histories, and are at very different stages of evolution ; while, considered as a whole, it defies classification, and bears no real resemblance to any other political organisation which now exists or has ever yet been tried.

“ There is, however, one most important element in it which, from a strictly constitutional point of view, has now, as regards all vital matters, reached its full development—we refer to the group of self-governing communities composed of Great Britain and the Dominions. Their position and mutual relation may be readily defined. *They are autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance*

*to the Crown, and freely associated as members of the British Commonwealth of Nations.*

"A foreigner endeavouring to understand the true character of the British Empire by the aid of this formula alone would be tempted to think that it was devised rather to make mutual interference impossible than to make mutual co-operation easy.

"Such a criticism, however, completely ignores the historic situation. The rapid evolution of the Oversea Dominions during the last fifty years has involved many complicated adjustments of old political machinery to changing conditions. The tendency towards equality of status was both right and inevitable. Geographical and other conditions made this impossible of attainment by the way of federation. The only alternative was by the way of autonomy; and along this road it has been steadily sought. Every self-governing member of the Empire is now the master of its destiny. In fact, if not always in form, it is subject to no compulsion whatever.

"But no account, however accurate, of the negative relations in which Great Britain and the Dominions stand to each other can do more than express a portion of the truth. The British Empire is not founded upon negations. It depends essentially, if not formally, on positive ideals. Free institutions are its life-blood. Free co-operation is its instrument. Peace, security and progress are among its objects. Aspects of all these great themes have been discussed at the present Conference; excellent results have been thereby obtained. And, though every Dominion is now, and must always remain, the sole judge of the nature and extent of its co-operation, no common cause will, in our opinion, be thereby imperilled.

"Equality of status, so far as Britain and the Dominions are concerned, is thus the root principle governing our Inter-Imperial Relations. But the principles of equality and similarity, appropriate to *status*, do not universally extend to function. Here we require something more than immutable dogmas. For example, to deal with questions of diplomacy and questions of defence, we require also flexible machinery—machinery

which can, from time to time, be adapted to the changing circumstances of the world."

Upon this text numerous writers have built up a whole Talmud of commentary, but the gist of their conclusions may be summarized as follows :

(I) That the status of Great Britain and the Dominions is one of equal full nationality united in a free partnership under the Crown.

(II) That Foreign policy is laid down in outline every three years by the Imperial Conference and agreement maintained in the intervals between the Conferences by telegraphic messages and the personal contact of representatives.

(III) That the chief links of the Empire are :

(a) The Crown.

(b) The common status of all British nationals as subjects of the Crown.

(c) The possession by the Empire in virtue of the Crown of a single international personality.

(d) The Imperial Conference.

(e) High Commissioners and other inter-Imperial representatives.

(f) The advantage of security which the parts, and especially Australia and New Zealand, derive from their membership of the Empire.

(g) The continual migration of the British race from Great Britain to the Dominions.

(h) Inter-Imperial tariff preferences and Dominion interest in the British markets.

(i) The English language.

(j) The substantial community over wide areas of the Empire, of culture, including a common history and a common literary heritage ; of social customs, such as sport ; and of ideals such as " fair play " ; also the continual contact maintained by religious, commercial, scientific, artistic and other institutions.

(IV) That the separate representation of the Dominions on the League of Nations is really not a danger to the Empire, for though it substitutes some international relations for some constitutional relations between its parts, it also causes each part, in common with other nations, to guarantee under the Covenant, not only the territorial integrity of each part, but also of the Empire as a whole, against unjust aggression.

(V) That constitutionally, legal unity is still maintained through the power of the Imperial Parliament to legislate for the whole Empire, the Dominion status of equality being safeguarded by the extra-legal convention that this technical supremacy of the Imperial Parliament shall only be exercised over a Dominion at the request of the Dominion itself.

(VI) That the more indefinite and obscure the constitution of the Empire is, the better, because thus it will remain adaptable and elastic, highly practical and in keeping with the political genius of the race.

Such an enumeration, however, can only summarize the theory in so far as it is possible to reduce to precise definition the relationships which it postulates, but such a method is hardly fair to a theory which bases its special claims on its organic, human character. This other aspect of it may perhaps best be made clear, firstly by one or two quotations from exponents of the theory ; and secondly, by some remarks on what is at once the most august and the most human of British institutions, namely, the Crown.

Speaking at Pretoria on September 7th, 1927, Mr. Amery said :

“ Take the position of any of us as against the outside world. Independence is a thing which in practice has many limitations. It was my fortune to come into close contact with the long negotiations of the Peace Conference after the Great War. At that Conference there were represented a large number of independent nations.



The representatives of these so-called independent nations hung about for months, waiting anxiously, without knowledge, while their fate was being settled for them by the three or four Powers that alone counted in these great affairs. They waited in ignorance and uncertainty. The British nations, while they enjoyed the same nominal status as the other independent nations, also enjoyed the real status of being themselves one of the Big Three. No issue affecting that peace settlement was concluded on which the British Dominions were not consulted from day to day or in which their wishes were not regarded. They were represented on all the more important Commissions. In theory they had the status of ordinary independent nations, but in practice they enjoyed a far higher status and power—the power that belongs only to the two or three great units which play the dominating part in controlling the destinies of the world. I have seen the same thing at Geneva, when all the gathered nations of the Assembly were sitting waiting for the curtain to be drawn and the play to begin, waiting day after day, vaguely aware that a certain amount of scuffling was going on behind the scenes. During all those delays, while they waited in ignorance, the British Dominions, the members of the British delegation, were fully informed, were, in fact, among the scene-shifters who were arranging the play behind.

“I venture to say, Mr. Chairman, that there is no nation outside our Commonwealth whose status, whose dignity, whose power and influence, whose security would not be immensely enhanced if it were admitted to our partnership. Equally, that there is no nation within our Commonwealth, not even Great Britain, but would lose in every sense if it severed itself from that partnership.”

In the second of his Harris Foundation Lectures at the University of Chicago in 1927, Sir Cecil J. B. Hurst, then Legal Adviser to the British Foreign Office, said:

“Families are something different from mere fortuitous groups of individuals. You cannot make a family

by contract. You can make an alliance by contract, and in the same way you can agree to put an end to your contract. But a family is something you can neither make nor unmake by the mere agreement of its members.

"It is the same with the Empire. Like a family it has grown up. It has emerged through the gradual expansion of the overseas settlements or conquests of the English, and from the growth of the political life of those communities. As they became stronger they became more self-contained, more able to stand alone, but the ties which united them to the parent state have remained intact. . . .

"But what happens in human life when people are fully grown up and able to shape the destinies of their own life? The ties which link them to the other members of the family are still there, still strong, all the stronger perhaps for being seen less; and if there are matters of business on which the members of the family want to act together, the understandings which result from relationship will make it very much simpler to work together in common, without an elaborate organization and without any written agreement setting out the rights and the duties of each."

Speaking at Johannesburg on September 8th, 1927, Mr. Amery said :

"The British Empire is a Commonwealth for security; it is a Commonwealth for increase and for welfare, but it is also a Commonwealth for the development of the personality and character of all its peoples. It is of the very essence of our constitutional system that we are not confined to unity in this or that limited sphere, as would follow from a federal constitution, but that we work together in everything. And not the least fruitful side of Empire co-operation is co-operation in everything that makes for human progress, co-operation in political intercourse and political thought, co-operation in science, in art, in education and in social work. In all these matters we can no doubt gain much from the outside world, but we can gain even more each from the other, because we are different enough from each other

to be able each to supply some new element of value, yet near enough to each other to be able easily to assimilate and gain something from a contact which might be less fruitful in the case of foreign nations."

Of course it follows from the very nature of such a theory that no two people are likely to agree on every detail of its interpretation, but the foregoing quotations both illustrate its organic, vital character, and also give some hint of its emotional background. Whatever else may or may not be of value in the theory, this surely corresponds to a very human reality. In other words, it must be admitted that the ties of blood and sentiment, of language and tradition, in the British Empire are so numerous and collectively so strong that the precise nature of the formal ties is of far less importance than would otherwise be the case. The considerable measure of truth which the theory thus embodies as a description of the present—whatever we may think about the future—becomes still more apparent if we consider the prestige of the Crown.

This prestige stands extraordinarily high. In England it probably stands higher with every section of the population than has been the case at any time since the Age of the Tudors, but what is of great importance in the present connection is that this prestige extends everywhere in the Empire, and even embraces communities not otherwise conspicuously prejudiced in favour of British institutions. We need only recall in this connection some receptions which the Heir to the Throne has received in Dutch-speaking South Africa.

This prestige is a very remarkable and interesting fact in an age which has seen the abolition of many monarchies and which constantly expresses its repugnance to titles and honours<sup>1</sup> and even to the hereditary principle itself. Such prestige is, of course, an intangible

<sup>1</sup> For example, Canada, the Irish Free State and South Africa have requested that British titles be not conferred upon their citizens.

thing woven of many subtle threads of instinct and psychology, and the following attempt to enumerate some of its major elements is offered with all diffidence and reserve.

The prestige of the Crown appears to rest on rather different grounds in England, in the Dominions and in the Dependent Empire. Taking these in the reverse order, the Dependent Empire, especially in the East and in Africa, is puzzled by many aspects of Western civilization; but its peoples have a real understanding of personal rule and kingly government, and when they find these things in Western civilization they give them a welcome in which the pleasure of recognition is an important element. Here at last is something that they can understand, and that at the same time, in its serene and remote grandeur, seems worthy of their homage.

In the Dominions there is first of all the universal popularity of the whole of the Royal Family. Two important elements in this have been the moral respect which puritanical peoples feel for lives devoted to public service, and the fact that the Prince of Wales has shown himself to be "a good mixer." But, at any rate among the British communities overseas, there is another factor in the prestige of the Crown which is more important, deeper and more lasting than any personal regard. The Crown is to them a great symbol. It is a symbol of their race and of its supreme achievement, the British Empire. It is a symbol of Britain, of their earliest homes and of the whole of British civilization. It is a token of all the traditions, which they have transplanted across the seas, a sign recalling innumerable race memories from the remotest past. To those engaged in shaping the life of new cities it is a link with the law and politics of a great Kingdom. To those others who have tamed the wilderness, spanned the prairie with roads and railways, and evolved with infinite effort from log cabin or pioneer's shack the civilized comfort of the settler-farmer's home,

it speaks of that culture and tradition which they have themselves willingly forgone, but which they would recapture for their children. To one and all it brings crowded memories of the kings and queens in the textbooks of their youth, and earlier memories still, going back to the very fountain-heads of their and our civilization, to the nursery rhymes and tales and songs, and the religion they learned at their mother's knee. In a word, it speaks to them in the language of romance.

In Great Britain itself the Royal Family are naturally less remote, but if the respect and universal affection have here a more sophisticated appearance, they are equally sincere. In Scotland the King, and in Wales the Heir to the Throne, have special associations which are gratifying to local pride, and Northern Ireland remembers that the King did not allow personal risk to prevent him from opening the first Northern Parliament. In England and in Great Britain as a whole certain other feelings may be distinguished. The love of pageantry, which has preserved, for example, the Lord Mayor's Show in London, is an ingrained characteristic of the English people, and one which the drab uniformities of mass production in modern life seem rather to have developed. Certain it is that every Royal progress or visit becomes the occasion of an outburst of popular enthusiasm which astonishes any foreigners who may mingle with the crowd, and which seems to indicate that Royalty adds something to modern life which it values and which it would otherwise miss. It is certainly a symbol, but of what? Few people in England probably ask themselves that question and fewer still find an intelligible reply. Nevertheless, there are three more or less definite things which the Crown does symbolize for all, whether they reflect on them or not.

In the first place it stands for unity. Legally, in fact, it is still the Executive throughout its dominions. The Crown declares war or makes peace, raises or

disbands fleets and armies, appoints ministers, executes justice, coins money, and is the fountain of honour; and all executive acts are done in its name. It is legally, politically and psychologically a focus of unity and a factor making for uniformity. The single nationality of British subjects and the single international personality of the Empire are but implications of this unity.

Secondly, the Crown stands for stability, for order, for innumerable links with a splendid past, for evolution rather than revolution. It is "the keystone of the arch."

Lastly, this is an age which is sceptical of miracles and impatient of institutional and traditional religion, but which is still morally sound at heart, and which delights in such substitutes for religion as patriotism, public service, and that ideal and code of a gentleman which Dean Inge has described as "the lay religion of the English people." Activities connected with such forms of "instinctive religion," as well as institutional religion itself, find in the Throne and the Royal Family at all times an invaluable centre and in the present Royal Family a living embodiment of cherished ideals.

Democracies are notoriously fickle in their affections where their affections alone are concerned, but where need and affection combine they are otherwise. If the foregoing analysis corresponds at all accurately to the facts, it should show that the prestige of the Crown in the Empire is founded not on affection only, but far more securely upon the fact that it meets some of the deepest spiritual needs of the peoples composing the Empire, and especially of the British race. A theory which bases itself upon such facts as these must contain at least some elements of the truth. As regards the present, at any rate, this official theory has obvious merits as a description of some of the facts, but before it can be seen in perspective it is necessary to examine how far it

corresponds to all the facts, present and to be expected in the future, and whither it would ultimately lead the Empire. It has already led to certain disquieting consequences and proposals in the sphere of law, and since these supplement the theory, while illustrating some of its dangers, they may appropriately be considered next.

## CHAPTER II

### LEGAL FIRST-FRUIT OF THE THEORY

"The question has to be faced whether we are not in fact witnessing the gradual but steady dissolution of the Empire. We are now at the stage of friendly independent action, and each new departure is applauded as an advance in freedom and made the text for a sermon on the British genius for reconciling opposites. It is certain that if the Dominions and Great Britain waged wars against each other there would be people to exclaim that nothing showed more truly the greatness of our Empire and its superiority to the Empires of Rome and Spain than this fresh evidence of the complete freedom of every part to do as it chose."—From "The British Empire," by DOUGLAS WOODRUFF.

"As things must follow the line of least resistance and organizations will develop according to their nature, the Empire has wellnigh ceased to exist except as a sentiment. For an Empire which has no common executive or legislature, which will soon have no supreme judicature, the component States of which have their own fleets, armies and diplomatists, is not an Empire but an alliance of independent States. And the bond which binds together an alliance is far weaker than the bonds which bind together the provinces of a Common Empire. This is, indeed, the eleventh hour, and it looks to me much as if the master-builder, if he come, will come too late. In that case the Dominions will leave the Empire and become independent States, hostile or friendly to England as the exigencies of the moment may require."—From "The Legacy of Liberalism," by AL. CARR-SAUNDERS.

To understand the legal first-fruits of the official theory of the British Empire, it is necessary to recall the political conditions which were active when it was formulated at the Imperial Conference of 1926.

Briefly those conditions related to Canada, the Irish Free State and South Africa. In Canada there was a growing feeling that the Dominion needed a more definitely national "status" *vis-à-vis* the United States; that her anomalous position as a Dominion, combined with the subordinate character formally assigned to her



by the old legal instruments embodying her connection with the Empire, was inconsistent with the self-esteem of a great people; and finally, that as an American Power she ought to have an acknowledged right to decide for herself how far she would participate actively in any European quarrel. The position of Canada in relation to the United States was duplicated by that of the Irish Free State in regard to Great Britain herself. It was again primarily a question of dignity. A Government acknowledging loyalty to the Irish Treaty had but a small majority over a Republican opposition, and was anxious for tangible proofs of the free autonomous "nationality" of the Free State in order to prove that Dominion status secured in substance the "dignity of sovereign independence" demanded by the opposition. The South African Prime Minister, General Hertzog, had been for years the leader of a party which aimed at placing the Dutch people and language in at least an equal position in every respect in the life of South Africa, and so making the Dominion a "two-stream" country, and which had included "sovereign independence" and "placing the interests of South Africa first" among its declared objectives. The principle of "placing the interests of South Africa first" might reconcile him to remaining nominally associated with the Empire for the present, but he was determined to secure for South Africa a status which could be described as equivalent to "sovereign independence."

These were difficult demands to meet, but the theory met them with—for the moment at any rate—triumphant success. The formula that the Dominions were "autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations" acted like a magic spell. At the sound of it

inferiority complexes and theories of dignity vanished. The rising national feeling in the three Dominions found that it pressed not against a locked, but against a willingly opened door, and three Dominion leaders returned to their peoples in triumph. By means of the theory a gracious loosening of the formal ties of Empire thus solved what had threatened to become an Imperial problem of the first magnitude, and in doing so seemed at least to strengthen the informal or "family" ties.

That is not an achievement to be disparaged, yet it was secured partly by abandoning the great ties of judicial unity<sup>1</sup> and of potential legislative unity in the Empire, and partly by relegating legal difficulties to a subordinate Conference. The findings of this subordinate Conference are now available, and though not yet officially adopted, must be reckoned among the legal and constitutional first-fruits of the official theory. They are styled the "Report of the Conference on the Operation of Dominion Legislation and Merchant Shipping Legislation, 1929" (Cmd. 3479), and they will come before the Imperial Conference of 1930. They are disquieting in the extreme.

The recommendations of this 1929 Conference are indeed sweeping. The appropriate procedure is traced for abolishing the disallowance and reservation of Dominion legislation, and for conferring unrestricted powers of extra-territorial legislation upon all Dominion legislatures, a single limited exception being made in favour of the continued right, to which the Dominions have consented when raising loans in London, of disallowing legislation in so far as it injures the holders of

<sup>1</sup> The Conference placed it on record that it was "no part of the policy of His Majesty's Government in Great Britain that questions affecting judicial appeals should be determined otherwise than in accordance with the wishes of the part of the Empire primarily affected," thus ultimately, in effect, making optional all appeals to the Judicial Committee of the Privy Council, whether by individuals or by "parts" of the Empire.

trustee stocks or breaks the original contracts regarding such stocks. The report further recommends that the Parliament of the United Kingdom shall pass a law abdicating all power to legislate for any Dominion except "at the request and with the consent of that Dominion," and abolishing the limitations on Dominion legislative capacity contained in the Colonial Laws Validity Act, 1865. Recommendations are made designed to dissolve the present unitary character of the shipping legislation and Admiralty jurisdiction of the Empire, and to substitute for it only such measure of uniformity as may be achieved by agreement and concurrent legislation. In this latter connection the Report is forced to admit that "the practical and other difficulties" in the way of the mutual enforcement of laws are so great as to make it impossible to recommend any general arrangement of this kind. It continues, significantly :

"The position which obtains at present is only possible because the system of law which is applied is a unitary system, and when that system comes to an end a solution of the difficulties which arise will have to be sought in other directions."

On the subject of the Crown the Report recommends that alteration of the law touching the succession to the Throne or the Royal Style and Titles shall require the assent of the Parliaments of all the Dominions. Lastly, it is suggested that justiciable inter-Imperial disputes shall be determined by *ad hoc* tribunals selected from standing panels nominated by the several members of the British Commonwealth.

These last two recommendations are the only attractive features of the Report. The former has few mischievous possibilities, being happily negative, and might actually strengthen the Crown in its relations with its Ministers in the various parts of the Empire. As regards

the latter, the form of tribunal suggested is perhaps almost the model of what a Court should *not* be, viz. a dependent, politically appointed, *ad hoc* body ; but that is unimportant beside the fact that we have here a clear acknowledgment by the whole Empire of the need of Imperial institutions and a definite reaching out to provide them. With these two exceptions, however, the Report is almost frankly disruptive, and in two cardinal matters it goes, or appears to go, far beyond the 1926 Report :

(1) In the first place it goes beyond its own terms of reference from the 1926 Conference in recommending that Dominion Parliaments should have full power to make laws having extra-territorial operation, whereas the terms of reference had limited this to "all cases where such operation is ancillary to provision for the peace, order and good government of the Dominion."

(2) In the second place the 1926 Report did not devise any legal means whereby Dominions might be at liberty to secede, and by a well-established rule of law a Dominion Parliament could not legally pass a secession law having validity, because that would be to transgress the purpose for which it had received its powers from the Imperial Parliament and for which it existed. Such a law must be reserved and disallowed.<sup>1</sup> Accordingly, the only means of peaceable secession open to it was to try and persuade the Imperial Government to pass legislation dissolving the tie with it. Such legislation would naturally not be passed unless the Imperial Parliament were convinced that the change was desired by an overwhelming majority of the citizens of the Dominion. But the present Report provides for the abolition of reservation and disallowance, except in respect of the Governor's constitutional

<sup>1</sup> I.e. reserved by the Governor-General or Governor of the Dominion and disallowed by the Crown on the advice of Ministers in Great Britain.

powers as the *personal* representative of the King, and these can be overcome by the refusal of supplies. The Report therefore would leave it possible for, say, the Irish Free State, even with an opposing Governor-General, to secede legally from the Empire by processes which could not be legally checked at any point by the rest of the Empire. A French writer of weight<sup>1</sup> contends that this is the effect of the position already described in the 1926 Report itself. However that may be, it certainly appears to be the position likely to be ensured by the 1929 Report.

The general design of this Report is to carry the principles of the 1926 Report to their logical conclusion by placing the Dominions in a position of absolute equality with the United Kingdom. This involves divesting the Imperial Parliament of the last shadowy remnants of its capacity to legislate of its own motion for the Dominions, and it leaves the Empire without a legislature entitled to make laws for it as a whole. It can only attain legislative unity in any matter by means of agreed concurrent legislation by the various Parliaments. Of the difficulty of securing such unity let a very eminent Australian lawyer speak :

“Anyone who has had experience of the difficulties involved in passing identical legislation through six State Parliaments in Australia, will not be over optimistic as to the chances of obtaining identical or reciprocal legislation with a reasonable approach to simultaneity in five Parliaments sitting in every quarter of the globe.”<sup>2</sup>

<sup>1</sup> J. Magnan de Bornier in “L’Empire Britannique : Son évolution politique et constitutionnelle” (1930). After pointing out that a secession law would be disallowed by the British Government he observes : “Mais, pour faire respecter son désaveu, il se trouverait dans l’obligation d’employer la force des armes, et non une simple procédure judiciaire et administrative.”

<sup>2</sup> From “Australia and the British Commonwealth,” by the Hon. J. G. Latham, K.C., LL.B., Attorney-General of the Commonwealth of Australia (Macmillan, 1929).

In practice the result must inevitably be to leave the Empire without any effective constitutional means of maintaining any kind of legislative unity. It would be reduced, in fact, to a mere league or community of nations united by a moral tie (that indicated in the phrase "*freely* associated" in the 1926 Report) and by allegiance (with its corollaries) to the person of the King. It would be an Empire almost without common institutions of any kind, and in its constitutional structure going far to justify the suggestion underlying the two quotations at the head of this chapter, that it may be steadily dissolving into a precarious alliance.

A more sinister consequence of the 1926 Report, or of the conditions which that Report attempted to rationalize, is stated to have occurred in connection with the recent illness of the King. It became necessary to place the exercise of some of the Royal powers and prerogatives in commission, and accordingly six Counsellors of State were appointed, namely, the Queen, the Prince of Wales, the Duke of Gloucester, the Archbishop of Canterbury, the Prime Minister and the Lord Chancellor, all or any three of whom were to exercise the assigned powers. This body was not set up under any Act, but by Royal Warrant under the Great Seal after authorization by the King in Council. It was thus a body selected on the advice of His Majesty's Ministers in Great Britain. The Irish Free State objected to its constitution, and refused to acknowledge its authority. Whether the ground of the objection was the inclusion of Ministers of the Crown representing a part of the Empire declared by the 1926 Report to have no higher status than the Free State itself, or the exercise by the King of a choice which might be attributed to the advice of His Majesty's Government in Great Britain alone, is of comparatively minor importance. It is the objection itself that matters, and still more the fact that it appears to have been allowed,

for the appointment of the Irish Free State Minister to Washington was approved by the Royal members of the Commission only. The successful insistence of the Free State on this involves the position that during the King's illness there were in fact two Regents, namely (1) the Commission sitting normally ; and (2) the Commission *compulsorily* restricted for the purposes of business affecting the Free State, to its Royal members. So we have the position that, in respect of certain divisions of the Empire, the Crown, the last symbol and focus of Imperial unity, was divided.

The problem of Regency is no new one. When a Regent became necessary under George III, Pitt passed a "law" appointing one, but the "law" could not, of course, receive the King's assent. The Irish Parliament of that time was probably on surer ground in voting an address to the Prince of Wales calling on him to assume the Regency as a matter of hereditary right. But what is new is the disastrous effect which any such doubt about the Crown must have upon an Empire which has made of the Crown its principal legal bond. What is to happen during a minority, or in a case of very sudden illness ? Is there to be one Regent, or many ? If only one, by whom is he to be appointed ? These and similar questions take on a new significance in the light of the 1926 Report. At present they can mostly be answered in the last resort by judicial authority, but if, as a result of the 1926 and 1929 Reports, the Judicial Committee of the Privy Council and other Imperial links were abolished and nothing substituted for them, they might easily lead to the partial dismemberment of the Empire.

These are serious considerations, but in relation to the Crown there is an even more serious consequence of the 1926 Report. The Sovereign is left to be advised by six different Governments "equal in status, in no way subordinate one to another in any aspect of their

domestic or external affairs." Obviously the advice is bound to be conflicting sometimes. What is he to do? Clearly when the business does not press he can bring the parties together and await their agreement. But not all business admits of delay. In many matters, particularly in foreign policy, procrastination is itself a decision. For example, it may be tantamount to the rejection of an offer. In the case of an ultimatum from one foreign country to another, it may mean the loss of an opportunity to mediate or to bring pressure to bear on the aggressor. Once the ultimatum has expired and the war has begun it may be too late. How then is the King to decide between the conflicting advice given? Is he to use his own judgment? That would be indeed a revolution in our polity. In the hands of a strong and ambitious monarch, such a principle might be used to subvert every principle of responsible government as it has been commonly understood in British practice of constitutionally limited monarchy. In weak hands it would probably provoke indignant opposition, culminating in the refusal of supplies, or even in rebellion. But if he does not use his own judgment, upon what principle is he to decide? Is he to consult the advice of the strongest? That would be to abandon frankly all idea of an equitable decision. It would imply that within the Empire there was no justice for the smaller Dominions. It would be an absolutely untenable moral position. Yet the King must take some action, and in practice it is easy to see that he would be bound to take the advice of the Ministers for that part of the Empire in which he habitually resides, and for which, whatever the theory may be, he is in fact more directly, and, as it were personally, responsible than for those parts in which he is represented by a Governor or Governor-General. At present, and until a King arises who prefers Dominion to European life, that would mean that the King would



follow the advice of his Ministers in Great Britain. This is what is likely to happen, and concerning it two things must be said. In the first place, it is an a-moral principle, and every whit as repugnant to equity as the principle of siding with the stronger. In the second place, it makes a mockery of the theory that the Dominions and Great Britain are "equal in status."

In a later chapter it will be suggested that the Imperial Conference should be made a more or less permanent body, that in cases of conflict between the advice of different self-governing parts of the Empire the King should refer the matter to the Imperial Conference, and that if that body should fail to arrange a compromise, he should be free to act on the advice of the Imperial Conference itself. This is only one suggestion, however, and there may be others. This much appears certain, that in so far as a gross legal and political anomaly may have power to undermine constitutions and bring them into contempt, this principle is, in its present potential scope, infinitely dangerous. It is a veritable principle of anarchy in government. In the legal aspect in which it first presents itself and has here been considered, it is anomalous to the point of imbecility. In its political aspect it represents one result of the anomaly by which the self-governing half of the Empire is left almost entirely devoid of Imperial institutions. But it is more than a result. It is also a potential cause. If it is not removed or rendered innocuous in some way, it will be itself a continual source of irritation, and it will foment and inflame every other irritation, every sore and every wound in the Imperial body-politic.

The legal first-fruits of the Imperial theory are not encouraging. In fact, they strongly suggest that legally and constitutionally the Empire is in rapid process of dissolution. Nevertheless, it must be remembered that legal difficulties, mischievous enough as

they may be in the hands of the ill-disposed, can usually be adjusted if there is a sincere basis of goodwill. Such goodwill is likely to depend more than anything else on the facts of the Empire—on its difficulties and how it meets them, on its objects and ideals and how it attains them. These will provide the most searching test of the theory, and should also serve to show whither the theory may be expected to lead the Empire if we continue to follow it.

## PART II. INTER-IMPERIAL RELATIONS: THE THEORY CRITICIZED

### CHAPTER III

#### LIMITATIONS OF SENTIMENT AS A BOND OF EMPIRE

"A man must be far gone in Utopian speculations who can seriously doubt that if these States should either be wholly disunited or only united in partial confederacies the subdivisions into which they might be thrown would have frequent and violent contests with each other. To presume a want of motives for such contests as an argument against their existence, would be to forget that men are ambitious, vindictive and rapacious. To look for a continuation of harmony between a number of independent, unconnected sovereignties in the same neighbourhood would be to disregard the uniform course of human events, and to set at defiance the accumulated experience of ages."

—ALEXANDER HAMILTON, "The Federalist," No. VI.

"La patrie est aux lieux où l'âme est enchaînée."

—VOLTAIRE, "Le Fanatisme," I, 2.

THE keynotes or main principles of the official theory of the Empire as it has been outlined are roughly seven in number. They may be enumerated as follows :

- (1) Sentiment.
- (2) Interest.
- (3) Nationality.
- (4) Equality.
- (5) Consultation.
- (6) Co-operation ; and
- (7) The avoidance of friction by avoiding institutions altogether.

In order to see how far the facts support the theory it will be convenient first, to examine how far each of these principles tallies with pertinent and typical facts, and secondly, to inquire if there are any important and relevant facts which the theory neglects. The result

should give a fair indication of the value or otherwise of the theory as an Imperial ideal or guide. The present chapter will accordingly be devoted to the consideration of how far sentiment is or may be in the future a bond of Empire.

The theory lays great emphasis on the extent to which the Empire is held together by sentiment. The theory is here undoubtedly right as regards the present. Indeed, it is difficult to exaggerate the force of the family feeling which unites the members of the British race throughout the self-governing Dominions. It is impossible, without actual travel in the Dominions, to form any conception of the strength of this feeling, and it is the first great revelation which such travel brings. The war tested it and it rang true. Canada lost more men than the United States. So also did Australia. This sentiment is unquestionably the strongest present bond of the Empire. But how far is it a durable bond? Is the Empire safe in relying upon it for ever as a principal and sufficient bond?

On this subject history does not speak with any certain voice. There have been races, such as the Jews, who have preserved their racial feelings in spite of dispersal. The Colonies of ancient Greece preserved their Hellenic language and spirit. On the other hand, Dutch South Africans do not now look to Holland, and devout Quebec shudders at not a few aspects of modern France. On the whole, the chief determining factors would seem to have been the extent of the national sentiment developed by the scattered communities, the contact maintained, and the extent to which they have retained similar ideals, "values" and modes of life. Only by the sustained combination of all these conditions have remote communities been able to maintain strong sentimental ties for a long period in the absence of active organic political association. In the case of the British race these conditions are unlikely to continue indefinitely.

In the first place the British race must have difficulty in maintaining racial distinctiveness, since it is not distinctive to start with. It is a composite race, predominantly a mixture of the Nordic and the Mediterranean races, but including also nowadays some mingling of Jewish and other strains. Its distinguishing characteristics are really far more linguistic and traditional than ethnological. We commonly know an Englishman by his speech, his dress, his habits, his attitudes, in a word, by his traditions, not by the colour of his hair or the shape of his head. To this weakness in the bond of race sentiment, caused by the absence of distinctiveness in the race, must be added diminishing racial purity. This is probably least active in Great Britain herself, Australia and Newfoundland, but in the first two it is commonly remarked that the Mediterranean and Semitic strains show evident signs of increase relatively to the Nordic. Whether we think this good or bad, it is certain that such a change must in time produce something different, something that will not appeal to other British communities as "the old stock." In Canada there is already a great medley of Central European and other miscellaneous stocks, there is a constant stream of immigrants entering the Prairie Provinces from the vast ethnological conglomeration to the south, and the British stocks are also liable to a more subtle change through possible intermarriage with the French Canadians. An Indian strain may also enter here. In New Zealand there is practically no colour bar, and intermarriage with the fine Maori race seems certain to produce in time a distinctive racial type. South Africa is rapidly developing a caste system, and this may prevent its ultimate reduction to "dago" standards, but already there is a large coloured population, and even within the circle of the pure white inhabitants the high proportion of Jewish strains and the predominance of

the Dutch must make the maintenance of purity in the British stocks highly problematical, to say the least, except possibly in Natal. The British race as such, then, cannot be relied on as a permanent source of Imperial sentiment.

At first sight it would seem more reasonable to hope for the continuance of a non-exclusive national spirit, that is, a national spirit that does not exclude pride in the Empire and that even encourages it; but on consideration doubt arises. Nationality is founded upon one of the deepest of human instincts, namely, the tribal instinct. In the last resort it has its roots in the fundamental fact that man is a gregarious animal, and it ante-dates *homo sapiens* himself. It is impossible for such a spirit not to grow and grow in the free atmosphere, and amid the abounding growth and vitality of a British Dominion, until it reaches and passes the point at which it begins to oust the Imperial sentiment. When we reflect on the part being played by the Dutch in South Africa, by the French in Canada and by the Irish in Australia in moulding the political life of those Dominions, it is difficult to resist the conclusion, that to build our hopes for the maintenance of Imperial sentiment upon the continued non-exclusive character of Dominion national sentiment would be to build them upon sand.

The maintenance of contact is easier to assume in a world which is rapidly contracting and in spirit drawing closer together under the influence of wireless, aviation and improvements in every means of communication. Yet such contact, without either active political association or the diplomatic caution of foreign relations, has its dangers. They are succinctly summarized in the quotation from Alexander Hamilton which appears at the head of this chapter. That was a solemn warning addressed by one of the world's most celebrated thinkers on the art of government to the American States,

pointing out the dangers of contact "in the same neighbourhood" between loosely associated Governments; and it was, with other arguments, instrumental in setting up the strong federal organization which we know as the United States of America. Great Britain and the Dominions are more closely and continuously in contact with each other under modern conditions than were those early American States, and it is worth while to ponder the analogy. The American States were united by the bonds of race, language and religion, and together they had fought a successful war for freedom. In addition, they heeded the warning of the greatest of American thinkers, and associated themselves in a well-knit federation, yet none of these things availed to save them from a civil war. Truly there are dangers as well as advantages in contact, unless differences can be resolved.

Last but not least among the sources of Imperial sentiment is the retention of similar ideals, "values" and modes of life. That these will not alter quickly in the case of the British race goes without saying. The Englishman will continue to take his daily bath, play his games, lay out racecourses, pioneer adventurously in every sea, and refuse to take himself seriously through it all, except perhaps in matters touching his women-folk, his code and his religion. Certainly these characteristics will not readily be altered. Nevertheless, there is about countries like Canada, Australia and South Africa something which no race can experience for a generation and remain unaltered. They claim, as it were, for their own. They set upon each and all the impress of their own individuality.

Much of the process is easy to follow, but not all. It is easiest to trace in the economic sphere. Canada, for instance, is a country of yeomen. She is, *par excellence* among new countries, the land of small farmers and private enterprise. Her great co-operative achieve-

ments, the Canadian Pacific Railway, the power system based on Niagara, even her wheat pools, have been derived from private enterprise. Consider the economic function of a grain elevator at a station in the Prairie Provinces. What is it, after all, but a kind of common barn which saves the settler-farmer the expense of making his own? Comparatively small men struggle and make good even where Canada bears hardly upon small men—on the slopes near the Rocky Mountains, where livestock would die by thousands in the snow-drifts were they prevented from keeping on the move by any such system of fences as the “blocks” of Australia, and where branding and the “round up” are the kernel of the system. In Australia, on the other hand, the physical facts of a partially desiccated continent dictate a totally different economic life. There droughts, an indifferent soil and the scarcity of labour make farming a gamble, in which the struggle for existence tends almost automatically to eliminate the smaller man. With the absence of the small man, and the difficulty of anyone but the State obtaining easy credit, has come a tendency to rely on the State for everything and a fond belief in the efficacy of collectivism. Australia is a nation of wage-earners, in whom collectivist conditions, British love of liberty and the Irish genius for political organization are developing a special social and political psychology. The very racial homogeneity of Australia cannot but make for rapid development here and for the individuality of the result. In South Africa pests and diseases can only be fought successfully by scientific agriculture, which is also necessitated by the need to manure so as to supplement certain deficiencies in the soil. But whereas in Australia the scarcity of labour hinders farmers from sparing their sons for scientific training, in South Africa the supply of native labour has enabled a large number of farmers to take two-year agricultural courses. This process should spread, and it



alone should in time place the education of white South Africa on a high level. And so with the others. New Zealand is the Empire's dairy farm. Newfoundland reaps the harvest of the sea.

But economic facts are not the only forces differentiating the life and "values" of the British race in the various parts of the Empire. In Great Britain there is the perpetual influence of Europe, which includes the mother-States of several great Empires, one might almost say, of several civilizations. In Canada there is the spectacle of her mighty neighbour to the south, from whom there comes to her a perpetual stimulus to novelty, a ceaseless flow of books and periodicals and films and wireless programmes, and American "values" generally, which are as a rule un-English "values." Australia looks out anxiously at crowded Asia, with its impossible standards of life, its ignorance, its cruelties, its terrible diseases; and by contrast with the nightmare of Asiatic penetration her own social ideal, derived originally from the home-life of an island in the North Sea, takes on almost the character of a religion. The ideal of a White Australia is one of those few supreme ideals which mould from time to time the major issues in the destiny of mankind. But is it appreciated in England? Hardly, or the decision would never have been taken to abandon the Singapore base, on which Australia conceives that her safety so largely depends. It is, in short, an element of spiritual differentiation in a portion of the British race. There are many others. To the north of the ribbon of settled country which is Canada, there stretches to the Arctic what seems an illimitable hinterland and a vast archipelago. To every imaginative schoolboy in the Dominion those territories are a kingdom of romance. They give to words like "hunting," "snow," "lake," "forest" and "North" itself overtones of meaning and emotion which they do not possess in England. They are some of many subtle

influences differentiating the race. Here is yet another. While Australia looks inward to her own vast spaces for development, New Zealand, in many ways the most English of the Dominions, has already laid the foundations of a maritime Empire. Her dependencies in the Pacific, including her mandated territory of Western Samoa, and the Ross Sea Dependency, are an earnest of what may prove a great future, and are already, as regards Australia, a differentiating idea.

Finally, among the causes making for differentiation must be set mutual ignorance. There is first Dominion ignorance of the Dependent Empire. The ideals of sport, and "fair play," and liberty, which inform the psychology of the Dominions, represent only one side, and that the inferior side, of the spiritual ideals and achievements of the British race. To them must be added another and a higher record—of justice dispensed under great difficulties, of selfless sacrifice, of service and trusteeship for backward peoples. While the Dominions remain, as they now are, ignorant of what we have done in India and are doing in Africa, and while they stand apart, broadly speaking, from the administration of both, a great potential bond of spiritual union must be wanting from the Empire. And on the side of Great Britain is a worse ignorance, for she has largely failed in imagination. She has measured, and still measures, the Dominions by their tale of bricks, by the statistics of their economic accomplishment. She has not seen the foundations that they are laying. In the commercial capital of one of the major Dominions is a newspaper office which exceeds in size every newspaper office in England but the very biggest. It has not long been erected. The accommodation is ludicrously Brobdingnagian. There are more rooms than they can use, and some of them are so large that persons traversing them look ridiculously tiny. They will need to double and redouble their circulation before

they can utilize their present space. Yet the building has been so constructed that *they can add three more floors to it with ease!* That is an allegory of the spirit of the Dominions. They are building, many of them, not for to-day or to-morrow, but for a time when Europe shall have shrunk in relative importance to the dimensions which Greece assumed under ancient Rome. But of these considerations the English people, to whom almost everything in the exhibition at Wembley seemed to come as a surprise, are largely unaware. Mutual ignorance of aims, if it continues, will play a very disastrous part in dividing British life throughout the world into compartments incomprehensible to each other. Such ignorance can hardly be dispelled save by continual co-operation for important ends.

Imperial sentiment, then, can look for no abiding support from the unity of the British race or its common ideals and "values." It is likely to be undermined by the rivalry of local patriotism, and even the contacts brought about haphazard by modern inventions have in them dangers of friction. Imperial sentiment is a strong bond at present, and it will continue such until the differing life of the various Dominions has evolved differentiated traditions, but this process is in full operation, and is powerfully stimulated by economic tendencies. Without organic Imperial co-operation, it will only be a question of time. Clearly the theory is utterly mistaken in relying on sentiment, as such, as a permanent bond of Empire.

It may even be doubted whether haphazard, inorganic sentiment itself is not almost a contradiction in terms. It lies in the very nature of sentiment that it should have an object. It is of the essence of political sentiment that it should have as object some organized political institution. A Royal symbol is an important aid, but it is hardly a dynamic object. Men combine naturally for common aims, and sentiment attaches

itself naturally to the aims and to the machinery for effecting them, but it is hard to maintain sentiment for a combination that *does* nothing. Clearly the theory is utterly mistaken in relying on mere sentiment *as such* as a permanent bond of Empire. But just as clearly, were the Empire more closely associated, were the Imperial Conference, for example, a more permanent body, constantly meeting and constantly co-operating for great objects, Imperial sentiment would have presented to it a dynamic object as well as a static symbol, and would be correspondingly invigorated.

## CHAPTER IV

### LIMITATIONS OF INTEREST AS A BOND OF EMPIRE

"Non tibi illud apparere si sumas potest."

—PLAUTUS, "Trinummus," II, 4. 12.

IF mere sentiment is not to be relied on as a permanent bond of Empire, mere interest is still less reliable. Like sentiment, interest is at present a tremendous bond; like sentiment, it could be immensely strengthened by greater cohesion in the Empire; but whereas mere sentiment, however vague and unorganized, will only fade gradually with the passing of the generation that feels it, the present bonds of interest uniting the Empire are essentially ephemeral. They have this character even now, but as regards the future they are menaced by two grave economic developments outside the Empire. It will be convenient to discuss their present position and their future separately.

At present the Dominions are united to Great Britain by three important bonds of interest, namely, markets, security and credit. Great Britain is their great market. In the case of Australia, New Zealand and the Irish Free State, she takes an overwhelming proportion of their produce. Their whole prosperity is bound up intimately with their position in the British market. This is, of course, certain to continue in the case of the Free State for reasons of geography, but in the case of every one of the other Dominions the British market is bound to be of decreasing importance. It is, after all, but a corner of Europe, and relatively since the war Europe itself has shrunk immeasurably in importance owing to the growth of population and

industry in the other continents. It will continue to shrink. Already, too, the unfortunate present situation of the United Kingdom has had depressing reactions on the Dominions. Australia, for instance, has been particularly hard hit. Each such reaction cannot but direct the minds of Dominion producers to the advantages of alternative markets. At any moment the advantages to a Dominion of a commercial treaty with another part of the world may curtail its interest in the British market, and in the absence of an Imperial organ of co-operation, such treaties are liable to be concluded suddenly and without previous inter-Imperial consultation. The South African Trade Treaty with Germany is a portent in more ways than one. Yet another aspect of the absence of consultation is the considerable ignorance which prevails in all parts of the Empire concerning market conditions in other parts. Great Britain's failure for years to make motor-cars suited to Dominion conditions is an obvious example of this. Finally, from the Dominion point of view, the situation of Great Britain is at any moment liable to produce, without previous consultation, sudden political action of a kind that would gravely disturb the principal market on which they rely. The Dominions would be affected by the withdrawal of the advantage which they derive from the Merchandise Marks Act, by any reversal of the important policy by which British Government purchases outside the United Kingdom are made if at all possible within the Empire, or by a cessation of the advertising and research activities of the Empire Marketing Board. Similarly, there is always the possibility of the withdrawal of preferences and the imposition of duties. In fact, a single British Budget might conceivably dislocate almost the entire economic life of a Dominion.

Discussion of markets as a bond of Empire would be incomplete without a reference to inter-Dominion and

inter-Colonial trade and preferences. Lord Melchett notes that :

“ Reciprocal tariff arrangements exist between New Zealand and South Africa ; Australia and New Zealand ; Canada and South Africa ; Canada and the British West Indies ; and Canada and New Zealand.”

The same writer gives the total value of the trade which passed between “ Empire countries ”—exclusive of the United Kingdom—in 1927, as £133,946,000.<sup>1</sup> These are indeed important bonds, but what guarantee is there of their permanence ? Practically none, nor can there be any in the absence of some organ of closer Imperial co-operation. Without this they are at the mercy of a thousand political exigencies in every quarter of the globe. Local prejudices, popular passions, party manoeuvres, personal jealousies, newspaper “ stunts ”—by any or all of these may the foundations of this trade be vitally affected, perhaps ruined, in a short space of time, without so much as the momentary check or pause which might be created by an appeal, by even a merely advisory inter-Imperial body, if such existed in a permanent form.

The advantages of the Empire in the realm of security are obvious, but they are not equal for all parts of the Empire, and they vary from time to time. Canada is protected by the Monroe Doctrine, and except in the improbable event of a quarrel with the United States, is unlikely to need defence. But even to Canada in her relations with the United States, the British Empire is a moral support. It rules out the possibility of a truculent American President successfully bullying Canada in connection, for example, with the navigation of the Great Lakes. Australia and New Zealand must be exposed to Asiatic attack for a long time to come,

<sup>1</sup> “ Imperial Economic Unity,” p. 85. He does not state whether he includes the mandated areas among “ Empire countries.”

while their populations slowly grow, and all the Dominions must be said in some sense to rely on the Empire for security as long as no single one of them could sustain a war single-handed with a second-class Power. In the past this guarantee of security has been one of the strongest bonds of interest uniting the Empire, but it is only necessary to compare the present with the pre-war position of the Dominions in this regard, to see that while it is still a very powerful bond, it is one the imperative need for which is passing. Its value is diminished by the successive reductions which are being made in the Navy under the combined influence of economic depression and international optimism on the part of successive Governments in Great Britain.

The credit advantages enjoyed by the Dominions in the London money market have been among the greatest factors in building up their economic life and prosperity, and are often spoken of as one of the most important links of Empire. An important link they undoubtedly have been, but the enormous issues of War Loan stocks substantially reduced the value of the privilege by which a Dominion loan could be floated as a trustee security under the Colonial Stock Act, 1900. Moreover, the advantages of the London money market to the Dominions have been impaired by the general diminution of the British savings available for investment overseas, and in some cases by London distrust of political and economic tendencies in certain Dominions. To these facts must be added, particularly in the case of Canada, the large amounts of United States capital which now annually become available for investment abroad. American investments in Canada have now reached an enormous total. Practically all the capital invested in New Zealand is British, but certain Australian States have borrowed directly in the New York market. In addition, it must be remembered that without Dominion approval munici-



palities and even Canadian Provinces cannot borrow under the Colonial Stock Act, 1900, as the right of disallowing their legislation is vested in the Dominion and not in the Imperial Parliament; and that such Dominion approval can only be given by a renunciation of self-government, in so far as the particular stock is concerned, and at the expense of the privileged position of its own stock.

When we try, in the light of all these facts, to estimate the importance of credit as a bond of Empire, we must also bear in mind the limited number of individuals who come directly within the scope of its operation. Investors are by no means a large proportion of the British public, and subscribers to Dominion loans are but a proportion of investors. While a Dominion loan may actually affect the lives of Dominion citizens in the most intimate or far-reaching manner, it hardly does so directly. It does not operate upon their persons or private banking accounts. In the nature of the case it is individual investors in the United Kingdom who have the most active personal interest in the transaction; nor must it be forgotten that after the completion of a borrowing transaction it is always the lender in whom the more energetic solicitude resides. The relation of creditor and debtor may have its acerbities as well as its conveniences, and these acerbities may be on either side.<sup>1</sup> On the other hand, of course, Dominion anticipations of credit are an important motive in Government, and the individual Dominion citizen must occasionally realize that he personally has obtained employment as a direct result of money lent from London either to his Government or to a company. But, on the whole, it is impossible to regard credit as in itself a reliable permanent bond of

<sup>1</sup> The treatment of Canadian Grand Trunk shareholders still rankles in England and makes of such shareholders centres of anti-Canadian feeling. In 1920 two Queensland laws, partially repudiating contractual obligations to non-residents, caused the City of London to cease lending to Queensland until amends had been made to those affected.

Empire. It is a powerful bond at present, but it has its very real dangers, and it is inherently, in so far as its own nature goes and apart from political associations, ephemeral.

Markets, security and credit are undoubtedly the main bonds of interest at present uniting the Empire, but there are many others, such as the Imperial diplomatic and consular services, with all that they imply of goodwill and support for Dominion travellers and Dominion commerce the world over. A less obvious but important bond consists in the agreements, which resemble treaties, on which the Federal Dominions are founded, and for which the Imperial connection is a guarantee. The Australian States have direct contacts with the Government of Great Britain, and their undoubted right to claim *separate* Dominion status should the Commonwealth Government attempt to secede from the Empire would be a guarantee of some value against secession were there ever talk of such. Similar natural rights in the Cape Province and Natal have been among the forces reconciling Dutch opinion in South Africa to Dominion status. In Canada, too, this aspect of federation plays an extremely important part. The French Canadians are determined at any cost to preserve in their Province the privileged position of their language and religion, and they regard the Imperial connection—and especially the Privy Council—as the chief guarantee that this position will be maintained. They know well that as a State of the United States, French Quebec would, sooner or later, go the way of French Louisiana.

At first sight yet another link of immense importance consists in the innumerable Imperial institutions which have branches in the Dominions. The Churches, Freemasonry, the links between Chambers of Commerce and between the professional organizations of doctors, artists, authors, journalists, lawyers, engineers, nurses, teachers and others, the Empire Parliamentary Associa-

tion, Burns clubs, etc. etc., all provide links of Empire. A particularly important link of this kind is the League of the Empire, which arranges temporary exchanges between Dominion and Colonial teachers, and teachers in the United Kingdom. But while some of these societies are organized on an Imperial basis and are a source of strength to the Empire, others, such as the Scouts and Girl Guides, Toc H, and the Rotary movement are organized on an international basis and deliberately cut across the true line of Empire development. Rotary, of course, is an American, not a British movement, and it is through its international character that it has spread to British possessions. But the Scouts and Toc H originated in British life and breathe the English spirit. They are social organizations of infinite power for good or evil. It is easy to see the short-sighted reasoning which has made them international. It is thought that they can thus help to promote international understanding and break down international barriers, and that this will promote international peace. How far they succeed in the first object by occasionally bringing boys or youths of different countries together is a matter of opinion ; but that they will really promote world peace by sacrificing Imperial sentiment on the altar of international understanding is a demonstrable fallacy.

The Empire is itself the greatest instrument of peace that the world has ever seen. While it lasts one-quarter of mankind remain at peace among themselves. While it lasts a resourceful and experienced diplomacy, backed by vast resources and immeasurable prestige, is devoted actively and almost entirely to the single object of peace. The Empire's influence among its fringe of partially protected States in Asia is alone a tremendous and successful work of peace, to say nothing of its standing example to an acrimonious Europe. Yet for the sake of occasional brief international contacts at jamborees

or other gatherings these social organizations reject the Imperial basis on which they might have greatly helped the Empire and strengthened it for its task by forming the character of British youth on healthy, well-balanced and patriotic lines; and elect to run the risk of allowing the natural ideal of service to the State to be weakened by confusion with vague ideals of "service to mankind" which, while too indefinite to achieve anything in the wider sphere, nevertheless confound the sense of public duty, and make for a superficial cosmopolitanism, instead of for good citizenship. It is a great pity.

The permanent importance as links of Empire, then, of Imperial and quasi-Imperial non-political institutions is less than might at first appear. Like other interests, they are important bonds in the present, and might usefully reinforce some form of closer political associations, but they speak doubtfully of the future.

What then of the future? It seems that the whole position must be completely and fundamentally altered by two vast economic developments, one of which is already remoulding the world and the other is plainly approaching. The first is the rapid expansion of the American economic unit. The second is the coming formation, in one form or another, of a great European economic unit. The outstanding facts of the former are the economic penetration of most of South and Central America by American finance, the partial penetration of Canada, and the remarkable activity of American finance and commerce in India and other unexpected parts of the world. The European unit will develop more slowly. It has been endorsed by responsible political leaders in both France and Germany—surely a significant unanimity. It has come under the consideration of a Committee of the League of Nations. In spite of its American president, the new international bank is an important step towards it. A European

economic unit is the only and the inevitable answer to the challenge of the American unit, and it will certainly come.

What will be the effect on the bonds of interest at present uniting the Empire of this mighty division of the economic world? Details are doubtful, especially as it is as yet uncertain whether the European economic unit will develop in connection with the League of Nations or, as seems more probable, by way of further mergers of the great European industrial combines. But the broad effects are certain. The American unit will make tremendous efforts to draw Canada, Australia, New Zealand, and perhaps Malaya and India, into her orbit. Europe will as certainly try to attract the United Kingdom, and will offer the bait of various restriction schemes analogous to the Stevenson rubber restriction scheme, and price-fixing schemes, *into which the colonies of the European powers will be brought*. In such developments France will find the means of enormous economic gains and perhaps of dominating Europe; Germany will find in compensation for her lost Colonies an infinitely more ample field for Colonial economic expansion; and the smaller European nations will find at least security from attack by the vast economic forces created by the new grouping. But the whole cast of the new grouping depends on the British Empire. *The Empire will be subjected to a great strain. What will it do? Will it break apart and leave the world to develop in two great economic units, or will it stand out itself as a third? Upon the answer to that question depends in large measure the future history of the world.* The answer depends on how far the Empire can keep together, and that in turn will mainly depend on how far it can organize itself.

If the Empire should be unable to withstand the strain and should break apart, it would seem that sooner or later the two great economic units into which the world would be divided would clash. Sooner or later

the conflict would be resolved by force of arms. But if there were three units instead of two, there might never be any suggestion of a fight to a finish. The three units would not be so self-sufficing or so exclusive. The tariff walls would not rise so high. There would be freer trade. There would probably be some smaller units effectively maintaining themselves outside the main units, and in any case the main units would understand that a quarrel between any two of them would enormously enhance the relative position of the third. It is probable that the British unit would be as active a peacemaker in this sphere as the British Empire itself is in the political sphere.

These are the alternatives, and the choice does not seem difficult to make, but it will be more than difficult in practice. The steps in it are not difficult to foresee. American politics, through the Press and in other ways, are easily influenced by finance. There would be little political difficulty in securing the making of a very tempting offer to Canada. It was done once before, clumsily, by President Taft in 1911, and was indignantly rejected by Canada, the Canadian Liberal Government which favoured it being utterly routed at the polls. But this would be a very different offer. Instead of a close bargain, a huckstering reciprocity, it would be a generous and tempting offer, for the economic leaders of America know well what they are about. It would be an offer calculated to appeal to every major Canadian interest. To British Columbia it would probably propose a fruit merger; to the Prairie Provinces perhaps a wheat agreement; to Ontario, with its new mineral wealth, easy access to great markets; to Quebec, solemn guarantees of language and religion and special arrangements such as a satisfactory agreement in connection with the scheme for a canal past Niagara to enable ocean shipping to sail the Great Lakes; and to the Maritime Provinces the realization, through lowered American

tariffs, of their fondest economic hopes. It is an offer the attractiveness of which increases year by year as the United States tariffs rise. It would be coupled with threats. It might be very speciously presented if control were first obtained over important Canadian newspapers. It might be made piecemeal, and its anti-Imperial effect would be disguised, if it were humanly possible to disguise it—perhaps as a means of saving the Canadian standard of living from being lowered through European competition. Upon Canada's answer to this offer, should it be made to Canada first, will largely depend the nature of the subsequent offer to Australia. The answers of both may depend on England's answer to Europe. If that answer is firm the Dominions may be firm. If it is not, and if England's economic relation to Europe is causing heart-burnings in Canada, the temptation will be grave.

If the answer to these temptations should be unequivocal and strong, if the Empire should set out boldly upon the path of Imperial economic unity, it should have a great future. The key to that future was put by Mr. Amery in a single phrase in a speech delivered at Ottawa on January 24th, 1928, when he referred to "that marriage of the products of the Northern and of the tropical zone which is the secret of all modern economic development." The Empire is not absolutely and in every particular self-sufficing. It is deficient in natural petroleum, soft-woods, nitrates, potash minerals and phosphates. For the present at any rate it must be partially dependent on foreign sources for wheat and meat. But it is far more nearly self-sufficing than either of the other units. In rubber, in tin, in jute, in a host of materials, important and unimportant, it can more or less dictate its own terms. But its supreme difficulty is co-ordination. It loses numerous economic opportunities every year simply for lack of co-operation and organization. Without this its bonds of interest,

like its ties of sentiment, though still strong, are unreliable.

Thus, when examined, sentiment and interest, the two bonds of Empire on which the official theory principally relies, suggest the same conclusion. They are important and valuable links in the present, but in the absence of institutions to enable the Empire to co-operate, their future value is highly problematical.



## CHAPTER V

### IMPLICATIONS OF NATIONALITY

OF the seven principles in the official theory of the Empire, two have been examined, namely, sentiment and interest. These two derive in the main from the pre-war past and remain rather apart. It was easy to treat them separately. But the remaining principles all derive directly or indirectly from one great principle, the principle of nationality. They flow one from another, and are intermingled like different reaches of a single stream. Equality is a necessary corollary of full nationality in each of the Dominions. Between equals acknowledging none but a titular superior, consultation is the only possible approach to co-operation. But the relationship between equal nations conscious of their nationality and anxious to emphasize it, is a very delicate relationship. It is one to which the general run of ordinary political institutions, involving some form of subordination, are quite unsuited. Hence arises the temptation to eschew institutions altogether, and with them, though this may not be realized at first, to eschew co-operation itself. In such a sequence divisions cannot but be artificial, but it will be most convenient to consider nationality and equality first in this chapter, the remainder, including the existing organs of Imperial co-operation other than the Imperial Conference, in another chapter, and in others the Imperial Conference, and the general result of the examination of the whole theory. A final chapter will attempt to offer some constructive suggestions.

There are just a few political principles which recur

so incessantly in human affairs, in one form or another, that it would be possible to write the history of the world as revolving round one of them. Such a principle is liberty. Such another is monarchy or individual rule. Such another, again, is the idea of worship ; and such is the principle of nationality. Far back as we may go in tracing the dim origins of Indo-European civilization, we can find nothing that boasts a more remote antiquity than that religion of the hearth, of the Lares and Penates, which meets us alike in the earliest records of ancient Rome and in the traditions of Hindustan, and through which probably first came about the expansion of the family into the clan. From the family to the clan united by blood-relationship and by common gods is an imperceptible step, and from this clan to a larger one. Who shall say at what point the principle of nationality steps in ? But once it has stepped in it persists. In history we find it defying alike the inorganic empires of the East, the more assimilative rule of Rome, and the pseudo-internationalism of mediæval Christendom. A variety of names reveal it associated indeed with different political and social institutions, but through all its associations, in every age and clime, substantially the same. To the Transjordan sheik or the Canadian statesman, or the " Privy Councillor " of the Tongan Islands, it is not essentially different. It is the call of " his own people." Man is a " political animal,"<sup>1</sup> and the institutions which embody the principle of nationality answer to some of his deepest needs and instincts.

It is not exactly this venerable principle itself which is the new principle of the British Empire, but rather its almost undivided application to the units known as the self-governing Dominions. The conflict between this principle and the underlying principle of larger units such as empires, federations and leagues, has been throughout history one of the endlessly recurring causes of war.

<sup>1</sup> 'Ο ἄνθρωπος φύσει πολιτικὸν ζῷον ἐστίν.—ARISTOTLE, " Politics," I, 2.

According to the official theory the new principle of the British Empire is that this conflict shall be resolved by the victory of nationality. No longer is the loyalty owed by, for example, a Canadian citizen to be divided between his Province, the Dominion of Canada and the Empire. Henceforward Canada is to claim the Empire's share and, beyond the acknowledgment of the Crown, Imperial loyalty is to be a matter of grace and not of obligation.

Whither will this lead? The theorists, of course, maintain that it will strengthen Imperial loyalty, more being given freely than would ever have been accorded on any other basis. Granted, but are there not two sorts of freedom—untrammelled, irresponsible freedom, and freedom that has been invited and encouraged to assume voluntarily obligations of co-operation? Imperial co-operation would draw to the Empire many loyalties. Without co-operation the principle of Dominion nationality, which is a jealous principle, may absorb them all, as it is already absorbing Provincial and State loyalties in the federal Dominions.<sup>1</sup> We see it at work in the flag controversy in South Africa, in the Irish Free State, where the King's effigy does not appear on the coinage and stamps, and where the King's representative has refused to attend a gathering where "God Save the King" would be played.

Without organized co-operation, the Empire, which the theory makes a league of States rather than a State, must progressively cease to perform the functions of a State. The functions must be performed, however, and without organized co-operation they will be performed

<sup>1</sup> This is particularly noteworthy in the case of Canada, in spite of the great check to Dominion power which was administered by the Judicial Committee of the Privy Council in the Toronto Hydro-Electric case (1925, A.C. 412), which gave such an extended interpretation to the authority of the Provinces over "property and civil rights" that it seems to transfer residual power in the constitution from the Dominion to the Provinces.

more and more by each individual unit for itself, or if entrusted to one, as foreign policy is now entrusted to the Parliament of the United Kingdom, they are likely to be performed to the growing dissatisfaction of the others. There are not wanting already signs of both these tendencies. It is sufficient to mention the system of Dominion Ministers abroad and the commercial treaties of the Dominions with foreign States as examples of the one, and as regards the other the protests of the Pacific Dominions against the abandonment of the Singapore base, and their recent uneasiness on the subject of the Suez Canal.

How far the principle of Dominion nationality might go if unrestrained by the considerations of advantage arising from active co-operation may be illustrated by the legislation of three Dominions on the subject of local citizenship.

All Dominion citizens are British nationals as subjects of the King, and as such they are entitled to a great many valuable treaty rights. As such, any Dominion citizen who settles in the United Kingdom may rise to be Prime Minister. The regulations for admission to this status have been framed by the Imperial Parliament, and are only altered with the concurrence of the Dominions. Moreover, a form of local citizenship which was allowed in Canada before the war under less troublesome regulations than those for British nationality, caused difficulty and even hardship in England during the war to such naturalized "Canadians" who were not British nationals and were therefore "aliens." Nevertheless, Canada in 1921 and South Africa in 1927 adopted legislation marking off their citizens as special classes of British subjects.<sup>1</sup> The Irish Free State has gone further, and has limited political rights to its citizens, a limitation which in equity should involve the denial by England of political rights to Irish

<sup>1</sup> Prof. A. B. Keith, "Dominion Autonomy in Practice," p. 21.

citizens settling in England until they abandon this special citizenship. Certainly such divided nationality may have its uses in relation to the assumption of extra-territorial powers by the Dominions, but if it develops it will in time deprive Dominion nationals of valuable treaty privileges, and rob the Empire of one of its few remaining links. Surely such possibilities alone make it worth while to try and secure such a measure of Imperial co-operation as will advertise to the Dominions through use the advantages of a unified citizenship in the Empire.

This disruptive nature of the principle of Dominion nationality is very largely due to the contrast which it provokes between the actual and the theoretical position of the Dominions. In theory they are equal sister States. In practice they are nothing of the kind. Canada has a population several times that of the Irish Free State. The United Kingdom has herself more people and wealth than all the others combined, and is in addition at the head of a vast dependent Empire. In theory each Dominion is mistress of her fate. In practice a Dominion cannot contract an alliance (as opposed to a trade treaty) or annex territory, and the appointment of Governors-General (ignored by the Balfour Report of 1926) is done on the advice of the King's Government in Great Britain, and foreign policy remains a monopoly of a Government which is responsible to a Parliament elected by the United Kingdom alone. And since in the United Kingdom domestic issues commonly dominate elections to the virtual exclusion of foreign issues, it may be said that peace and war for the Dominions and the conduct of their foreign affairs are settled for them by electors voting on such issues as old age pensions in the United Kingdom! Even an Empire which thrives on anomalies cannot indefinitely conduct its Imperial business on such lines without the gravest risk. Surely almost any co-operation would be better than this.

Such Gilbertian situations, when their significance is realized, illustrate so forcibly the contrast between the theoretical equality and the actual inequality of the Dominions and the United Kingdom, that inevitably they prejudice co-operation. They are an affront to the dignity of the Dominions, and as such they call into violent and disruptive activity the principle of Dominion nationality. They call imperatively for a sane system of Imperial co-operation. That in turn involves consultation, and suggests that the existing system, or want of system, of inter-Imperial consultation may appropriately be examined next.

## CHAPTER VI

### THE MACHINERY OF CO-OPERATION

THE existing machinery for inter-Imperial consultation and co-operation is roughly fourfold. It consists of :

- (1) The Imperial Conference.
- (2) The Dominions Office.
- (3) The Committee of Imperial Defence and similar bodies.
- (4) Various organizations—such as the Empire Parliamentary Association and the organized Chambers of Commerce—for promoting unofficial consultation.

The Imperial Conference, on which the official theory of the Empire hinges, will be considered in the following chapter, the present chapter being devoted to the other three.

It would be the greatest mistake to undervalue any of this machinery. It would be particularly foolish to despise it on the ground that it is antiquated, casual or illogical. Such characteristics ought rather, if anything, to prejudice us a little in its favour as being manifest signs that it has been designed to meet practical needs by men who have been more interested in securing the reality of co-operation than in devising symmetrical doctrinaire theories about it. In any case the most inadequate machinery of co-operation, accompanied by goodwill, is worth more than all the elaborate safeguards and paper constitutions that were ever invented. Of course good machinery is clearly better than bad, but whatever its anomalies, this machinery is not bad. It is the slow growth of years. It is admirably adapted to some of the important practical ends for which it was

devised, and it works. In view of the political circumstances of the past it is doubtful if anything more elaborate or ambitious could have worked. If such had been attempted the more sensitive Dominions would have thought that they scented a Downing Street plot to interfere with their autonomy, and the ultimate result might have been less co-operation, not more. This machinery is good as far as it goes. It has in fact sufficed in the past. The future is altogether another question.

The moment this existing machinery for co-operation is considered in relation to the future, its inadequacy becomes obvious. It was devised in a world of great spaces, slow movement and limited contacts. It faces a world which, thanks to modern transport, is rapidly contracting, in which fortnightly journeys to Australia will soon be a commonplace of business, and in which industrial and commercial combinations on a scale never before dreamt of extend their energetic rivalries to the remotest countries. Its inadequacy in this new world is very forcibly illustrated by the fact that it provides no effective means of Imperial co-operation in dealing with such combinations as, for example, the Standard Oil Company or the Shell group.

This inadequacy becomes still more patent when it is noted that these Imperial institutions are primarily organs of spasmodic consultation rather than of co-operation. Taking them in the reverse order to that given above, the majority of the unofficial organizations are confessedly merely consultative. The Associations of Chambers of Commerce and the Empire Parliamentary Association make no other claim. The few organizations, such as the Church of England Council of Empire Settlement, which do definitely aim at co-operation, at *doing* something, have all a very limited scope and for the most part a temporary objective. The juvenile emigration schemes of the Salvation Army may be taken



as typical. They are excellent schemes. Orphan children are despatched from England to, say, Australia. They are well cared for; they receive a training in agriculture; and with negligible exceptions they make good. The children exchange the cramped squalor of slums for a healthy, happy life of free opportunity. Great Britain loses, if not some of its future unemployed, at least some whose employment would have displaced others. The Dominion gains useful citizens. Each such child grows into a living link of Empire. It is all excellent so far as it goes, but the scale of operations is puny. What are a few hundreds beside the hungry myriads of Asia, whom Australia fears? What are a few hundreds in the peopling of a continent? The unofficial organizations that exist for co-operation as well as consultation are indeed to be commended, but they are supported only by the few whose interest has been aroused and whose faith is strong, and they are limited by the rate of economic expansion in the Dominions. What could they not do if their work formed part of a huge and many-sided co-operation arousing wide interest, if, for example, every week saw the coming and going of numbers of people with business interests in Australia, anxious to help in its expansion, and if English money, that now evaporates amid some speculative mirages in Wall Street, flowed steadily to invigorate Dominion enterprises and help forward our own people overseas?

The Committee of Imperial Defence appears at first sight almost the model of an Imperial co-operative institution. It is not, of course, a representative institution, being a committee of technical advisers to the British Prime Minister, but it is well understood that Dominion representation upon it is merely a matter of Dominion wishes. Its work has been done from its nature unobtrusively, but in so far as co-operative study may be said to be a form of co-operative action, it

has involved co-operation. Its sub-committees have collated the lessons of the war. Nevertheless, to call it a co-operative institution is altogether a misnomer. It is essentially consultative, and cannot be anything else. Important as co-operation in defence undoubtedly is, the Committee is not in a position to secure it. The Committee exercises a nominal supervision over the defence services of Great Britain, but though in practice standardization is in fact secured, the Committee has not of itself the authority to prescribe a weapon or a standard drill, or alter a shoulder-strap in the Dominion Navies or Militias. The precise nature of the Imperial influence exercised by the Committee may perhaps be gauged from the facts that its strong advocacy of the Singapore base, in which it had some enthusiastic Dominion backing, has been rebuffed, but that its plea for the organization of the Air Force as a separate Arm was successful.

In fact, the Committee of Imperial Defence bears a close family resemblance to a number of other "Imperial" bodies. Specialists in the study of Imperial institutions will recall the Imperial Mineral Resources Bureau, which was subsequently merged in the Imperial Institute, the Imperial Shipping Committee, the Imperial Bureau of Entomology, the Imperial Bureau of Mycology, the Empire Settlement Board, the Imperial Communications Committee and the Imperial Wireless Committee. Good work in limited spheres has been accomplished by these bodies, and some very valuable work indeed by several of them, but broadly speaking, they have been mere advisory bodies to His Majesty's Government in Great Britain, by whom their expenses have been paid. These and similar bodies represent little inter-Imperial consultation and still less co-operation. There is one notable exception. The Imperial War Graves Commission is financed by the Governments of the Empire in proportion to their

respective proportions of the graves for which it is responsible. It is financed co-operatively and administered co-operatively. It presents what the Committee of Imperial Defence seemed to present, the true ideal of an Imperial co-operative institution.

The Dominions Office was set up by Mr. Baldwin in 1925 as a separate Ministry. Beyond the fact that the Colonial Secretary's title was altered to that of "Secretary of State for Dominion Affairs and Secretary of State for the Colonies" it is not easy to see that the change amounted to very much. The Dominions, however, had long felt that their association with the Colonial Office was not in keeping with their status, and they appreciated the new arrangement as a gesture. As in effect the real work of co-operation with the Dominions is carried on through this office in the intervals between Imperial Conferences its importance is considerable, and it might be expected that the system of which it is the centre would have been carefully developed so as to make it as useful as possible. The expectation has not been realized. On the contrary, the most important element in the system was swept away by the Imperial Conference of 1926 and has not been replaced. This was the effective representation of the British Government in each Dominion. The representative was in each case the Governor or Governor-General, but Governors have now been restricted to the position of personal representatives of the King, and the British Government remains without any continuous personal contact with some Dominion Governments. As with the exception of South Africa, whose representative has full powers, the Dominions are only represented in London by officials and not by Ministers, it follows that the contact between the British Government and a foreign Government is very much more intimate and more likely to promote understanding than that between the British and Dominion

Governments. In the one case there is a British Ambassador or Minister at the foreign Court, and a foreign Ambassador or Minister here. In the other there is nothing comparable. There are accredited officials whose first duties are commercial, and who will act as channels of information. There is none of the personal contact and continuous personal consultation which can alone convey an understanding of those delicate nuances, those significant juxtapositions of details and those intangible "atmospheres" sometimes charged with unexpressed emotion or indicative of deep-seated uncertainty, which are the human side of government and a comprehension of which is often absolutely necessary to an understanding of policy.

This is a grave defect in the system, and it is to be hoped that it will be remedied by the appointment of British and Dominion representatives with fuller powers, but it is far from being the only defect. The system is too mechanical. It is also too dependent on the personality of individuals. It does provide a one-sided contact between a Dominion representative and a British Minister by which anything may be discussed, but it makes no necessary provision for bringing all Imperial matters, especially developments in other Dominions, regularly to the notice of each Dominion. It does almost nothing to promote real co-operation. It contains no inherent and necessary suggestion of British willingness to consider carefully every protest or observation made by a Dominion representative unless he has first laboriously telegraphed and troubled his own Cabinet with the matter. Such a suggestion of mental accessibility would be inherent in any regular system of *conferences* of the Dominion High Commissioners. However closely restricted, too, such conferences might be to mere discussion and elucidation, they could not but promote inter-Dominion understanding as well as understanding

between Great Britain and the Dominions, and lay foundations for co-operation in many matters. They would at least tend to dispel that Dominion ignorance of the Empire which the present system seems almost as if it had been designed to produce, and which exists. Dominion ignorance of the Dependencies is a commonplace, but it is not so widely known that nothing surprised the Dominions more at Wembley than their own ignorance of each other. No Dominion expected the amount of inter-Dominion trade which resulted from Wembley. Were the Conferences composed of Dominion Cabinet Ministers having the confidence and support of their Governments but resident in London, the Empire would have to its hand a great organ of Imperial co-operation.

In the region of foreign policy the present system achieves a peculiar fatuity, but as this is really a result of the clash of interests and policies and of the absence of a true organ of Imperial co-operation, the blame can hardly be laid at the door of the Dominions Office. The subject will be most suitably considered in conjunction with the Imperial Conference, but in the meantime it may be remarked that the three systems of consultation and co-operation which have now been examined present little ground for future confidence in the official theory of the British Empire.

## CHAPTER VII

### THE IMPERIAL CONFERENCE AND FOREIGN POLICY

THE Imperial Conference ranks after the Crown as the most important of British institutions. In the writings of those who expound the official theory of the Empire it is not exactly the keystone of the arch—the Crown is that—but it is almost the whole of the rest of the structure. It is regarded, in fact, as the real political bond of the Empire. It has certainly accomplished great things in the past. How far is that past a guarantee of the future? How far is the present organization of the Conference adapted to the new conditions of the world? Above all, how far is it adequate? Upon the answers to these questions must depend, not only opinion regarding the Imperial Conference itself, but also to a great extent the final judgment to be passed upon that official theory of the Empire which hinges on the Conference.

What then of the past? The chief work of the Imperial Conference has hitherto covered two wholly distinct fields of co-operation. These have been: (1) inter-Imperial relations; and (2) technical and non-controversial matters.

To take the second first, the non-controversial work of the Imperial Conference has been very considerable, "The Conferences," writes Prof. Keith,<sup>1</sup> "... have elaborated the law of nationality, promoted preferential trade, secured enormous improvements in postal and

<sup>1</sup> "Dominion Autonomy in Practice," p. 76. He seems to include the Imperial Economic Conferences as well as the meetings of the Imperial Conference proper.

telegraphic communications, effected improvements in shipping legislation, aided uniformity in the law of copyright, patents, trade-marks and companies, improved the collection of statistics and induced simplification of customs formalities, encouraged the conservation of raw materials, promoted co-operation in Empire exhibits at home and abroad, lightened the burden of double income-tax, and encouraged the setting up of several useful forms of co-operation in research, which have suggested to the League of Nations international action in the same sense. Under their auspices the process of Dominion settlement has been promoted; the Empire Settlement Act, 1922, with its grant of £3,000,000 a year, may be deemed a direct result of the Conference system, and even further aid has been promised by the Labour Government in 1929. The meetings of the Conference, moreover, even when not immediately productive of results, secure the wide discussion of the issues which are raised, and by this means serve powerfully to mould public opinion in the Empire to effective purposes. The Conference serves also as an effective way of reconciling conflicts of interest between the several part of the Empire, and above all of ameliorating relations between India and the Dominions."

This is a formidable list, and excellent so far as it goes, but two comments must be made on it. In the first place, there does not seem to be any reason why this type of co-operation should not continue in the future as actively as in the past. Secondly, there is hardly one of these results which could not have been secured equally well by conferences of subordinate officials. If these were all the results of Imperial Conferences it would be a waste of time and money to bring Prime Ministers from the ends of the earth to secure them.

But these have not been the only results. In the

sphere of inter-Imperial relations there have been results of the very highest importance. In fact, it might be held that the constitution of the Empire, in so far as the relations of Great Britain and the Dominions are concerned, is a product of the Imperial Conference. Certainly the fact that no Dominion is now seriously discontented with its status must be directly attributed to the Imperial Conference. This alone is an achievement which should cause us to pause before interfering with an institution which has so successfully achieved this great result. Nevertheless, it is only common sense to inquire how the institution has worked in regard to other matters, whether it is adequate to the needs of the Empire, and how it will be affected by the new conditions in the world.

It is only necessary to ask these questions to become acutely aware of certain defects in the Conference system, and especially of its complete failure to secure true co-operation in the important spheres of foreign policy and defence.

In theory, the Dominions are "equal sister States" with Great Britain, differing only—to use Lord Milner's phrase—"in stature, not in status." In conformity with this conception they are members of the League of Nations and vote independently in it; the general lines of the foreign policy of the Empire as a whole are discussed and (in theory) laid down at the meetings of the Imperial Conference; and when the Conference is not sitting there is supposed to be co-operation between the various Governments by telegraphic and other means.

In theory again, the control of their own affairs by the Dominions, including their own foreign affairs, has even been extended to peace and war, and in this connection Dominion jurists have elaborated a distinction between "active" and "passive" belligerency. Admitting that a declaration of war by the King auto-



matically places all his Dominions in a state of war, it has nevertheless been contended that the extent of their participation is entirely a matter for themselves. For instance, Article 49 of the Constitution of the Irish Free State lays it down that: "Save in the case of actual invasion the Irish Free State shall not be committed to active participation in any war without the consent of the Oireachtas (Parliament)." In short, the theory is that the Dominions are consulted about the common policy and share in it, but are not bound by it.

Such is the theory regarding foreign policy, and it certainly does correspond to the reality in several particulars; but it gives a false colour to some of the most important facts and ignores others. It is very far indeed from corresponding to the reality as a whole.

In the first place, what actually happens at Imperial Conferences is that Dominion Prime Ministers listen to very able expositions of its policy by the Imperial Government, and in general have neither the experience nor the data to pass informed criticisms upon it, or to suggest constructive alternative proposals. The mere fact alone that the Dominions do not as yet exercise any control over the great world-wide diplomatic and consular services, or over the vast majority of the Colonies that do not possess responsible government, or over India, deprives their statesmen of most of the data and experience that would be necessary. Nor in practice, when the Conference is not sitting, can foreign policy be adjusted to the subtle nuances and kaleidoscopic changes of international politics—a life-study in themselves for specialists—in effective consultation by telegraph with a number of democratic Governments situated at the ends of the earth. With some form of Imperial Conference of resident Dominion ministers in more or less permanent session in London, supported by an adequate and permanent secretariat, some

attempt might be made, no doubt ; but as things are, it is impossible.

In fact, the present Imperial Conference is thoroughly unsatisfactory and indeed illusory as a means of consultation on foreign policy. It has the appearance of being an organ of Imperial co-operation in this sphere, without in fact being one. It can only be a question of time before this alone begins to cause dissatisfaction among the Dominions, and ultimately friction.

Yet another defect is that all the decisions of the Imperial Conference are liable to reversal following a change of Government. Nor is this all. The Imperial Conference, which in theory occupies such an important position in the Imperial system, is almost certain not to be available when it is wanted, that is to say, in crises. It meets too infrequently and for too short a time. Moreover, wars, when they come, come suddenly, and seldom leave time for deliberate consultation, even by the unsatisfactory cable. Even if there is time for consultation the conditions governing the situation will probably have been determined already, so far as it may have been in the power of the Empire to determine them, by the previous foreign policy of the Imperial Government.

But the gravest difficulty of all remains. Even if the Imperial Conference were in all other respects an unexceptionable instrument of co-operation, it must still remain in the long run a merely advisory and therefore largely futile body, for the reason that whatever show the ministers of the Imperial Government may make of consulting the Dominions about foreign policy, and however genuinely they may wish to consult them, yet, if a serious difference arises, they are bound in the long run to obey, not the wishes of the Dominions, but the House of Commons, which can dismiss them. To put the matter still more plainly, in guiding foreign policy and in settling peace and war for the whole Empire,

the Imperial Government is actually responsible to an electorate confined to a portion of the people of the British Isles. In the last resort, under the present system Dominion control of foreign policy is a myth. Foreign policy is a monopoly of the Imperial Government, and must remain so until the Empire is furnished with institutions by which the Dominions can be regularly and fully apprised of the facts with which foreign policy has to deal, and can be enabled to express their opinions about it and share in its guidance.

Of course, it is competent for a Dominion to refuse active succours for a war which it disapproves; but the fact remains that without its participation in the previous negotiations and without its consent, it can be involved in war, and even passive belligerency, for all the seductive detachment of the phrase, includes liability to the seizure of vessels and internment of citizens, to economic blockade, to the bombardment of towns and to actual invasion.

Such is the theory and such the actual position of the Dominions in the matter of foreign policy. It will scarcely be pretended by anyone that it is a satisfactory position, or that it can be a permanent one. But its inevitable consequences are even more far-reaching than might at first be expected.

It cannot be supposed that the Dominions will remain content with the position which has been described, whereby they have the illusion without the reality of power in the matter of foreign policy. It is clearly as repugnant to their new status as nations and to their growing sense of nationality as it is to the dignity which the vast extent of the great Dominions and their growing power and importance imply. Already, as has been mentioned, they have their misgivings about it. Perhaps they feel that sometimes we pursue a European rather than an Imperial policy. Be that as it may, if popular clamour did not compel their statesmen to alter the

position, sooner or later the emergence of the first serious difference of opinion with the Home Government would do so, for the present system is not adapted to stand strains. The result might be disastrous, for constitution-building is more difficult and correspondingly riskier in a time of internal, than in a time of external, trouble. It should be a primary concern of wise statesmanship to devise means now, whereby the Dominions may never find that their acquiescence in a monopoly of foreign policy by the Government of Great Britain has betrayed one of their most cherished interests, and whereby Dominion statesmen may never be faced with the dilemma of having either to continue to submit to an unpopular indignity or withdraw from the Empire.

As an organ of co-operation in foreign policy, then, the Imperial Conference must be pronounced quite illusory. It is open to other criticisms, but as these involve not merely the Conference itself, but the whole theory of the Empire which hinges upon the Conference, they may properly be considered in connection with an attempt to estimate the value of that theory as a whole.

## CHAPTER VIII

### THE FAILURE OF THE THEORY

THE official theory of the British Empire has now been subjected to analysis in relation to some immediate facts of the present. On the whole it has not fared well in the process, though its considerable merits have been evident. In relation to certain other facts which it ignores, and to the future, it appears still more open to question.

In the first place, there is no settled principle for assessing the contributions of the various parts of the Empire towards the cost of its defence. The present want of system in this matter is chaotic and also flagrantly unjust. Considered either per head or per unit of wealth, these contributions vary immensely, from the Irish Free State, which pays practically nothing,<sup>1</sup> up to the already heavily burdened Great Britain, which pays far more than its share. That is not fair, and it is also gravely prejudicial to the interests of the Empire as a whole. The true moral of the present policy of progressive naval disarmament and economies, to which in varying degrees all the parties in the British House of Commons are committed, is that the burden of Imperial Naval defence has at last become heavier than Great Britain can bear without a larger measure of help.

Something has already been said about another and very serious defect of the present Imperial system, namely, its incapacity to create an informed public

<sup>1</sup> Against its partial responsibility for its own defence must be set its escape from its proper share of the national debt.

opinion about Imperial affairs. The ignorance of foreign affairs displayed by Dominion newspapers is often astounding, and British ignorance of the Dominions is not far behind. American elections periodically quicken in every intelligent citizen a temporary interest in the affairs and voting probabilities of every one of the United States. Elections have a similar tendency everywhere, but the British Imperial system might almost have been designed expressly for the promotion of apathy. This is in itself a great obstacle in the way of united action when such is needed. Moreover, it constantly leads to action by one part of the Empire, as for example in relation to native races, which proves unnecessarily embarrassing to another part. All this would be largely avoided if a greater community of interest were secured by a wider sharing of the functions of Imperial government. Yet other evils flowing from this central defect of the Imperial system are the impetus which it gives to the tendency of religious bodies in the Dominions and elsewhere, such as the Anglican Church in India, to lose touch with the parent body in England, and the tendency to consider world-wide problems, like the race problem and the traffic in opium, from the purely local point of view.

It is not merely the absence of elections that is to blame. This is but a symptom. The root cause is the absence of continuous co-operative institutions themselves. The mere departure and return of delegates to Imperial Conferences quickens an Imperial interest in the Dominions, which, alas, often languishes in the long intervals between the Conferences. What a melancholy contrast is here between the Empire and the League of Nations. The League, which is not the guardian of a type of civilization and has no serious pretensions to be considered a State, much less to be the co-ordinating factor in a world economic unit, and which exists in fact merely for certain very limited if important pur-

poses in the sphere of inter-State relations, is elaborately furnished with institutions. The British Empire has almost none. The result is seen in the creation of a permanent and very definite "atmosphere" at Geneva, which all acknowledge who have dealings with the League. The League has a continuity and a political and economic vivacity which is denied to the older and more organic British league. It gets more publicity in the British Empire than the Empire itself. It co-operates more under greater difficulties. It is a standing reproach to the anarchic constitution of the Empire.

These are serious defects. Taken in connection with previous criticisms, their cumulative effect is to suggest that at present in foreign policy, defence and some other spheres of Empire government, the Empire has, for practical purposes, no really effective system of co-operation at all. But when we turn to the future the position becomes infinitely worse.

In all the innumerable changes now taking place in the economic structure of the world, two main general tendencies may be observed. In the first place, everywhere larger commercial and industrial units are replacing or absorbing the smaller ones, only to be themselves swallowed up in still larger combinations and mergers. Secondly, the world is rapidly falling apart into two economic units—an American unit and a European one. It is self-evident that it is no more possible for a Conference which only meets for a few weeks once every four years to deal with the conditions produced by the first of these than it is for it to conduct foreign policy. Again, it is equally impossible for such a body to bring about the co-operation by which alone the Empire can hope to become itself a third economic unit, yet if it does not do so it would seem that it is doomed. The steps in the process are not difficult to foresee. England will be unable to resist the blandishments of Europe. She is already supporting the international bank. Next will

come marketing and restriction agreements for Colonial produce, then the absorption of British manufacturers in the European cartels; last of all a customs union. Meanwhile, the Americanization of Canada and Australia will also have proceeded farther along the road that must eventually lead to Imperial dissolution.

What shall be said finally of the other inevitable consequence, besides the wish to share in foreign policy, of the growth of the spirit of nationality in the Dominions? Can it be expected that they shall view with equanimity the development at the expense of the Imperial Navy, of that air force which European conditions appear to demand? Above all, can it be supposed that they will not covet their full share in the administration of the Dependencies? As the Dominions follow their tariff policies, fostering manufactures and secondary industries, will they not inevitably turn more and more to these Dependencies both for markets and for such raw materials as they do not themselves produce? Would it not be a prudent and far-seeing policy to seek, however cautiously at first, to associate the great Dominions with us in our responsibility for the Dependencies, and thus convert a potent source of future jealousy into a common trust and interest administered in common? So would the very growth of manufactures and secondary industries in the Dominions render them, not less, but more dependent on the Empire. So also would they be intimately associated from the first with the moral responsibilities devolving on a civilized and progressive manufacturing country which has economic relations with a backward one.

These are the more remote contingencies, however. The dominating present fact is that the whole present machinery of inter-Imperial consultation and government has grown obsolescent and badly needs overhauling.

Its defects are only what might be expected from its altogether haphazard growth, and suggestions will be



made in the following chapter for removing them ; but they will not be removed by embracing a theory of the Empire which seems to sanctify whatever arrangements exist, just because they exist—however useful the theory may have proved in the past.

Of course there is profound wisdom in the doctrines that such intensely human institutions as Governments should not be managed too rigidly, and that "growth not change" should be the principle of Imperial development. These are among the newer ideals of the Empire, and they enshrine great truths. On the other hand, it is surely obvious that good governmental machinery is better than bad ; yet the view that both are equally good is really implicit in the unrestricted "happy-go-lucky" view. It would be strange indeed if the British Empire, alone of human institutions, were incapable of suffering from the consequences of mistakes. In any case, the facts are very far from bearing out that assumption.

The facts are such as to afford ground for grave uneasiness. Coupled with the interest which our enemies will always have in dividing us, they point to a state of affairs which, if not altered in time, will gradually bring about the dissolution of the Empire into a number of independent States, to the infinite multiplication of national jealousies and unhappiness in the world. It is true that in respect of cordial goodwill the present relations between the parts of the Empire could hardly be better. But this is in itself an argument for improving what may for convenience be called by contrast the business relations. It induces the fear that the worst effects of bad Imperial machinery may be masked at present ; and it suggests that there could not be a more favourable opportunity than the present for investigating the problem in an atmosphere of goodwill. The Empire may be virtually devoid of institutions for co-operation, but there could hardly be a

more favourable atmosphere in peacetime than that which exists now for creating new Imperial institutions and for expanding and developing the old ones. Concrete suggestions in this sense will be attempted in the following chapter.

## PART III. A WAY OUT

### CHAPTER IX

#### SOME CONSTRUCTIVE SUGGESTIONS

"Individuals may form communities, but it is institutions alone that can create a nation."—DISRAELI.

THE heart of the whole matter is really quite simple. If the Empire is to continue to exist it must co-operate. It cannot co-operate except through some institution or institutions. At present, for practical purposes, it has none. How is it to get them? There are only two possible ways: either existing institutions must be adapted, or else new ones must be created. The former course is infinitely preferable as more natural, less risky and more likely to inspire confidence; but in either case three conditions must be observed: (1) neither Great Britain nor the Dominions must be asked to hand over power over their affairs until they are prepared to trust the new institutions; (2) the development must be gradual; and (3) the new institutions must be predominantly democratic.

It is necessary to insist on the fundamental nature of these conditions of the problem.

The first and governing condition is that both Great Britain and the Dominions are bound to be suspicious of any proposal that they should commit their affairs to the keeping of any new, untried body. The Dominions are exceedingly jealous of their new-found status as nations, and will not hear of parting with a shred of it to any vague, unknown Council or Parliament of Empire sitting in far-away London. Such a body, they

think vaguely, might easily show a very inquisitorial and usurping interest in their affairs and menace their autonomy. It might be open to all manner of social or financial influence, the motives or bearings of which they could not grasp. In short, it might, they think, do almost anything; and instinctively they will have none of it. Their instinctive repudiation of the idea of any such Council is reinforced by its presentation in an imaginative Press as very much like the popular novelist's conception of the House of Lords—a fossilized Areopagus of supercilious "hardfaced men," or a Sanhedrin of traditionalists. In Great Britain the doubts resulting from distance would hardly apply, but doubts on the subject of finance would be active, as to the potential expense to Great Britain and as to the capacity of such a body to resist the blandishments of international finance. But for both Great Britain and the Dominions the matter would be very different if such a Council or Parliament were actually in being and they themselves represented in it, and if they were accustomed to it and sure of its methods and working. As it is, no suggestion that neglects this attitude, especially on the part of the Dominions, is worth considering. In short, no new form of Imperial Government can hope to be accorded power over the Dominions and the Empire generally unless it has first won their confidence and respect, but how can it hope to win their confidence and respect unless it already exercises wide powers?

This is indeed a formidable difficulty. It results from the deep inconsistency which exists between the principle of unrestricted Dominion nationality and the fact that the nations of the Empire cannot co-operate unless they have institutions through which co-operation is possible. Fundamentally it is a question of trust. How can the Dominions and Great Britain be induced to trust each other sufficiently to place power in the hands of a joint body? If this question is satisfactorily

answered, the condition is met. The only possible answer would appear to be that the joint body must first be set up and entrusted with wide and expanding powers—such as control of policy in the Dependent Empire—which do not immediately affect either Great Britain or the Dominions. How far this would be satisfactory to the Dependent Empire or be likely to promote the confidence of Great Britain and the Dominions will be considered later.

The second condition—that the new system shall be capable of gradual application—is one on which Great Britain will be even more insistent than the Dominions. It is really contrary to the whole instinct and practical outlook of the British race to make sweeping changes suddenly. We leave that to more theoretically minded peoples. Mr. Lionel Curtis has argued against the necessity of this condition, basing his case on such historical instances of sweeping change as Cromwell's Instrument of Government, the Union with Scotland, and the changes in the direction of federation by which the Dominions themselves came into being. The answer is that these changes either depended on the influence of a very few persons and not on the decision of whole peoples, or (in the Dominion instances) were made under the pressure of certain inexorable or menacing facts which clearly pointed in the direction of the changes. And if sweeping changes are really inconsistent with the character of the younger British peoples, what shall be said of this old and experienced, sophisticated and over-cautious kingdom of ours? It will not readily be reconciled to sweeping changes. Practical reforms? Yes, if you will, so be that they are capable of being made step by step and that each such step, considered on its own merits, has a reasonable chance of proving a success. But sweeping revolutionary changes? Hardly.

The third fundamental condition is that any new

system of Imperial Government must continue to allow full and unrestricted scope to the principle of democracy in the great democracies of the Empire. That is not necessarily to assume that the principle of responsible government through the machinery of a Cabinet must be taken as the perfect and only form of popular control. Nor does it mean that there can never be any hope of redress for countries like India, where illiterate millions are being gradually robbed of the benign protection of an efficient and incorruptible administration in order that they may have thrust upon them the outward forms of a democracy incomprehensible to them and elaborately adjusted through provincial and national assemblies to ends that they can never know. Nor, again, does it mean that the Princes of India must affect to become constitutional rulers. It merely means that popular control of government, where it exists or has a reasonable hope of existing, must not be thwarted, and that in general it must predominate. India may eventually become and remain a Dominion without necessarily continuing the pretence of being a democracy, but the Dominions must not be asked to give up power over their affairs to an "Areopagus" which is not mainly composed of democratic representatives.

Given these conditions, the first step which ought to be taken is surely obvious. There already exists, enjoying wide confidence and great prestige, a British institution which a simple change would convert into a powerful instrument of Imperial co-operation. The institution is the Imperial Conference, and the change is to make it a permanent body, that is, a body holding at least two sessions a year, instead of the present quadrennial concourse. The continual presence of Prime Ministers would not be necessary. All that would be necessary, except on special occasions, is that each Dominion should be permanently represented in London, as the Union of South Africa is represented already, by a

Minister Plenipotentiary. He would represent it on the Conference. This in itself is hardly a revolutionary change, but its consequences would be far-reaching. There would be established for the first time continuous all-round inter-Imperial consultation and co-operation. The Dominions would be enabled to co-operate continuously with each other, as well as with Great Britain.

At first the body would probably have little actual power, but would be a purely advisory body, as the Imperial Conference now is. That is, it would be a means of co-operation between the various Governments, which would retain full power in their own hands until such time as they saw fit to entrust the Conference with some of it. There is one power, however, which as a result of the 1929 Report on Dominion legislation will exist nowhere, and which might well be conferred at once upon the Conference. When the King receives conflicting advice from two or more of his Governments, it ought to be a well-understood thing that it is competent for him, first to ask the Imperial Conference to try and bring about a compromise; and, failing that, to act on the advice of a majority of the Conference itself.

It might be hoped that the Conference would ultimately be entrusted with responsibility for the defence and foreign policy of the Empire, and even for its development, more or less, as an economic unit; but clearly such powers would not be granted for a very long time. In the meantime it is suggested that Great Britain should give a lead in trusting the Conference by transferring to it, in whole or in part, one power of extraordinary importance, namely, the control of the Dependent Empire. This is indeed a far-reaching proposal, and its various aspects from the point of view of the Dependent Empire, as well as from those of Great Britain and the Dominions, will be considered later. Before returning to it some other suggestions may be mentioned.

## A SUPREME COURT OF APPEAL

There can be no doubt that among the imperative needs of the Empire are a single Supreme Court of appeal appointed, not by Great Britain alone, but by the whole Empire; and an Inter-Imperial Court of Arbitration for political disputes. It is suggested that both should be set up in the form of Committees of the Imperial Conference, which would be appointed by the Conference, but which, once appointed, would be guaranteed security of tenure, and would in fact stand in some such relation to the Conference as the Law Lords stand to the House of Lords or the Judicial Committee of the Privy Council to the Privy Council.

Of these two Committees, the legal one is clearly the more important. It would take over the whole of the Imperial work of the Judicial Committee of the Privy Council. That body might then be allowed to lapse unless its continuance were desired by some part of the Empire, such as the Channel Islands, with special historical rights in this connection. Certainly the House of Lords is quite competent to take over its English ecclesiastical jurisdiction. Dominion views would almost certainly require its practice to be assimilated to that of the present Judicial Committee of the Privy Council rather than to that of the House of Lords in two important respects, namely, that it should suppress dissenting judgments,<sup>1</sup> and that it should be prepared to reconsider its decisions when good cause is shown, such as the production of new relevant material.

It may be asked, How, then, would the new Court differ from the present Judicial Committee of the Privy Council? Would it not be merely the Judicial Committee under another name? The answer is, that in fact there would be little actual change except in the manner of its appointment, but this would make all the difference

<sup>1</sup> Cf. Prof. A. B. Keith, "Dominion Autonomy in Practice," p. 47.



to its prestige and recognition in the Dominions. The Dominions regard the present Judicial Committee of the Privy Council with a profound but often grudging respect. They acknowledge its immense learning and ability, and its impartiality. They appreciate the cordial desire which has been shown again and again by Great Britain to strengthen it by the addition of Dominion judges. Nevertheless, it is to them essentially an English or a United Kingdom institution. Several of the Dominions have shown unmistakably that they wish to reduce its power over their affairs to the absolute minimum. The expense and delay of bringing Australian appeals to it have often been felt, and some complaint is also made of the age of some of its members. It has not been free from criticism in Canada; South Africa limits appeals to it; and the Irish Free State has deliberately sought to reduce its influence. The disposition to shake free from its authority has been particularly evident in the Irish Free State, where one of its judgments has led to considerable friction with Great Britain. The Australian difficulty in connection with any Supreme Court of the Empire, however constituted, can only be solved—until the coming of the Air age—by enabling it to sit in several Divisions, and in the Dominions as well as in Great Britain. The more fundamental repugnance of some Dominions, in so far as it is based on the supposed English or insular character of the Court, would be swept away by the simple change here advocated.

#### AN ARBITRAL COURT

The setting up of a political or arbitral tribunal is a more doubtful adventure. There is even a school of thought which holds that the arbitral settlement of non-justiciable issues really either means their arbitrary settlement or else is a contradiction in terms.

There is much both in logic and in fact to support this contention. Industrial Courts and Whitley Councils for certain sheltered industries are a case in point. When a wages dispute occurs in an unsheltered industry an Industrial Court has some data, in the probable strength of foreign competition, by which it can determine an upper limit for wages, and in practice its awards are likely to aim at finding this level. It is thus largely engaged in determining a mere question of fact. An Industrial Court for a sheltered industry which caters for a variable demand is in a similar position. In practice it determines the upper limit of wages which will allow a sufficient return of capital to keep capital in the industry, without so raising the price as to cause the public demand for the product of the industry to collapse. But an Industrial Court for a sheltered industry which is so vital that demand does not vary, is in a totally different position. The only "facts" which it has to determine are the psychological probability of the workers actually striking, and the doubtful analogies of wages elsewhere. Almost inevitably the award tends to be based on psychological or "political" grounds. The Court awards the minimum which it thinks will satisfy the workers. Clearly such an award has little or no basis in any kind of equity, and its moral claims to respect are not impressive. Nor does the history of such Courts of Arbitration in countries like Australia or New Zealand, where they have been judicially manned and extensively tried, encourage the hope that this logical difficulty can be got over in practice. The failure of Australian judges in this field has been almost as notable as their success in the difficult fields created by the division of power in a federal State and by the technical limitations which have circumscribed Dominion sovereignty.<sup>1</sup> Their failure has in fact been so notable as to suggest that they have been attempting

<sup>1</sup> Cf. "Dominion Autonomy in Practice," by Prof. A. B. Keith, p. 19.

to solve a kind of legal indeterminate equation. A similar line of thought has frequently been expressed in the American Senate regarding the Permanent Court of International Arbitration, which has been criticized as a "political" and not a legal tribunal.

There is undoubtedly much substance in this argument. Nevertheless, the fact remains that non-justiciable issues must be resolved somehow, and that when prolonged negotiation has failed there is still always a possibility that both sides may prefer the confessedly arbitrary judgment of an impartial referee to that of sheer force. The impartial referee does offer an alternative, in the last resort, to decision by force. At least it is always worth trying. Moreover, disputes between nations are rarely confined to purely "political" and non-justiciable issues. There are almost always confused issues that need disentangling, questions of fact to be determined upon the production of evidence, and judiciable questions of mixed law and fact to be separated from purely "political," moral or volitional issues. In such cases it is often possible for an arbitral body or referee to clarify the issues and state a case on some of them for a purely legal tribunal to decide. The whole effect of such a procedure cannot but be an allaying and calming one, as well as one that narrows the field of justifiable conflict. And even in the purely "political" sphere it is sometimes possible to decide disputes by means of an appeal to precedent. In this connection it may be that the current decisions of international tribunals are building up a body of "case-law" from which principles will emerge by reference to which a kind of quasi-judicial decision will become possible in many classes of territorial, racial and religious disputes. Finally, the Empire has already made use of this method with some success, in an inter-Imperial dispute. The Irish Boundary Committee may never have published its findings, but it was an open

secret in Dublin at the time that these were substantially in favour of Northern Ireland. The practical result was a happily agreed solution which has left indeed a curious and Gilbertian frontier, but has also laid a very troublesome ghost and promoted goodwill.

But if agreed arbitration of this kind is to have its place in the recognized machinery of Empire, which is preferable—on the one hand a series of *ad hoc* bodies to which the parties to the dispute have agreed, but which will be bound by no precedents and will create none, and in whose findings there must always be an obvious personal equation, or on the other hand a permanent, responsible body with reliable traditions and a prestige which a series of successful and obviously impartial decisions would continually enhance? There is a very simple consideration which should dispose of this question. The two are not incompatible. Reference to the permanent body must in any case be optional for the parties to the dispute. If the permanent body is in existence, but they prefer and can agree on an *ad hoc* body, well and good. But the existence of the permanent body at least offers to all disputants an avenue to quick mediation. Once the step had been taken of making the Imperial Conference itself a permanent body, the further step of setting up the Arbitral Committee would be but a trifling one. All that would happen is that the Arbitral Committee would be chosen and its personnel announced. Its powers would be determined as disputes arose. The temptation to discuss its details must be resisted here, beyond the suggestions that it might perhaps consist of three members to whose numbers for the purposes of each dispute the disputants might add their own nominees; and that it need not necessarily eschew mobility. As an institution, its potential importance would always be very great, but well-wishers of the Empire must hope that recourse to it would seldom be necessary.

## JOINT DIPLOMACY

The suggestions hitherto made have all presupposed the initial step of making the Imperial Conference a permanent body, but there is one suggestion which is not necessarily dependent upon this, though it would derive from this a new significance. At present certain parts of the Empire are maintaining separate representation in various foreign countries. These redundant diplomatists have hitherto co-operated successfully, but even ambassadors are human sometimes, and quite apart from the fact that they owe allegiance to different Governments, there is here a serious possibility of division in Imperial representation. Is it really necessary? Ambassadors themselves have become of less account in the post-war world as a result of the League, of the tendency to "open diplomacy," and of improvements in the means of communication, which have facilitated telephonic and other control over representatives abroad. In short, need Great Britain really retain an ambassador at, say, Washington? Canada *must* be strongly represented there, for her contacts with the United States involve multitudinous adjustments. Would it not be a wise exercise of inter-Imperial trust to withdraw the representative of Great Britain and allow a Canadian ambassador to speak to the United States in the name of a United Empire? Could there be a step in the sphere of diplomacy more calculated to enhance the international dignity of Canada, to inspire in the people of Canada that trust which trust begets, and to present to the world a signal example of Imperial unity? It would be a great Imperial gesture and one the effects of which would not be confined to Canada, and if it were combined with the institution of a permanent Imperial Conference, it might be made a first precedent in connection with the transfer to that body of increasing Imperial responsibilities.

## CHAPTER X

### IMPERIAL CONTROL OF THE DEPENDENT EMPIRE

" . . . Those wider interests of a world-wide Empire, which is her Empire, Canada's Empire, just as much as it is Great Britain's Empire."

—MR. AMERY, at Victoria, B.C., *January 7th*, 1928.

OF all our Imperial responsibilities the greatest is our trusteeship for the Dependent Empire. Vast as the Dominions are, including as they do an entire continent and the half of a continent, their area is less than, and their populations are not to be compared with, those of the Colonies, Protectorates and Mandated Areas. The suggestion that the Dominions should share through the Imperial Conference in the rule of this vast Empire and in the trusteeship for its teeming millions of human beings, is one that would effect more than any other single development to unite the Empire both materially and in spirit. It is the key to the future of the Empire. If the timidities of politicians are unequal to so bold a conception, it has also the merit that it can be put into operation piecemeal. It is not necessary to transfer all at once the entire Colonial Office from the Parliament of the United Kingdom to the Imperial Conference. It may be done in sections, beginning, perhaps, with West Africa, or West and East Africa, but in some form or another it ought to be done. Its advantages from the point of view of the Dependent Empire will be discussed in later chapters. Here only its advantages to Great Britain and the Dominions will be mentioned. These are so obvious and so far-reaching that it will be sufficient to mention them quite briefly without elaboration.

The advantages to the Dominions would be in the economic sphere, almost infinite. With the exception of parts of Australia the Dominions fall almost entirely within the temperate zones. But the whole development of modern economic life is in the direction of the "marriage of the products of the temperate and tropical zones." One-half of this tendency may be illustrated by the following quotation from Lord Lugard's famous book, "The Dual Mandate in British Tropical Africa" (p. 43).

"Consider, for instance, the uses of vegetable-oils—palm-oil, kernel-oil, copra, beniseed, cotton-seed, shea, ground-nut, etc.—all of which come from the tropics. As food, soft nut-oils are now, by a process of hydrogenization, being hardened, deodorized and increasingly used as margarine, and the residues as cake for cattle food. Ground-nuts supply much of the 'olive-oil' of commerce. As raw materials, only those who have an expert knowledge of the processes of many various manufactures can appreciate how essential they are to many of our staple industries. Palm-oil is, of course, used for the lubrication of rolling-stock and other machinery, and for the making of soap; it is also essential for the rolling of tin-plates, which in turn are required for all 'tinned' provisions, roofing-sheets, etc.

"The uses of rubber are endless, from the 'water-proofing' of cloth to the making of tyres, and of many medical appliances. The number of hides and skins supplied by the temperate zones would be wholly inadequate for the provision of leather, whether for boots or for belting for machinery, etc., unless they were largely augmented by the output of the tropics. It is needless to point to the necessity for raw cotton—add to these coffee, tea, cocoa, rice, sago, tobacco, sugar, jute and other fibres, gums, drugs, dye-stuffs and hardwood timbers, and we can realize how intimately our daily life is dependent on the produce of the tropics."

That is but a partial list, and it is being added to almost daily. The tropics are rapidly becoming essential

to the primary industries on which the Dominions depend. These primary industries must have tropical products for cowcake, fertilizers and so forth. But the whole question of access to tropical products is also taking on another new and profound significance for the Dominions as they develop secondary industries. Such industries are of two main varieties, namely, those which seek to utilize the by-products of the primary industries, and those which import their own raw materials. The Dominions have now, broadly speaking, adopted tariffs designed to foster both classes of secondary industries, and for both the products of the tropics are all-important. Ivory for umbrella handles, to name a single instance, is not a product of the temperate zones.

Vitally important as these facts are for the Dominions, it is possible that they are less important than that other aspect of the "marriage," which consists of the markets which the tropical dependencies offer for the products of Dominion industry. A very notable feature of the vast development of large-scale production in the post-war world is the rivalry for markets. It is for this even more than for the sake of access to tropical products that so much is heard of the "open door" in mandated areas. Such markets are the key to industrial success. Upon access to them depends the success or failure of the systems of complete industrial development, to foster which is now the declared aim of the tariff systems of the major Dominions. Already Australian trade reaches out to India, and Canada multiplies her commercial links with the West Indies and West Africa. These, however, are but the first beginnings of an immense development. These tariff policies, and the industries to be developed as a result of them, are still in their infancy.

The warning of these plain facts is not to be misunderstood. The Dominions are bound in the near



future to take a deep and increasing interest in the Dependencies. How is that interest to develop? Are Dominion economic interests to come into unceasing conflict with those policies which humanitarianism and the spirit of trusteeship dictate to Great Britain in her treatment, for example, of Africa? That way lie friction and the association of powerful economic interests in the Dominions with the demands of other countries for the dismemberment of the British Colonial Empire. Truly that would be a development fraught with peril. Or, on the other hand, are the Dominions to be associated from the first in the great trusteeship, so that they may learn that with the exploitation of the natural resources of a backward land there goes hand in hand the spiritual guardianship of its people? The former way would make the Colonial Empire a perpetual subject of contention and an instrument in the hands of all our enemies, for dividing us. The latter would unite the Dominions with Great Britain in a form of practical idealism which is at once peculiarly in keeping with the genius of the British race and calculated to unite all its noblest and most Christian elements in mutual esteem arising from co-operation in a work than which there is probably none greater for the general good of humanity. Nations have ever been more easily united by an ideal than by an interest.

From the point of view of Great Britain there are yet other aspects of such co-operation. It would relieve the intolerable strain upon the Parliament of the United Kingdom by reason of its double burden of Imperial and National responsibility. It would encourage the educated youth of the Dominions to enter the Colonial Services in greater numbers, with consequent relief to many individual members of those services and an easement of the present competition of the Dependencies for personnel, by which too often Africa's gain is India's or Malaya's loss, with unfortunate consequences

to the whole Empire through a lowering of the standard of its services. It would tend to draw off a certain amount of Dominion capital from unprofitable foreign speculations and bring it to support and strengthen the Colonial enterprises of British capital.

There is yet another and perhaps a sinister possibility which, whether a real danger or not, would be largely counterbalanced by the creation of a permanent Imperial Conference controlling the Dependencies. It is constantly remarked that the tone and prestige of the Imperial Parliament have declined in recent years, and there is a school of thought which predicts that this decline will continue. Many politicians themselves are acutely aware how unreal the Imperial Parliament is becoming. Its debates are largely unreal, and the contrast afforded by the real debates which the Prayer Book controversy evoked was startling. The effects of the Parliament Act upon the House of Lords are now to be seen in the moral weakness of that Chamber, while the House of Commons has largely surrendered its power to a committee of itself. It would still be an exaggeration to describe the House of Commons as a mere electoral college for choosing a Cabinet, but the whole tendency is in that direction. To many these changes are part of a wider change, and point to a general loosening of the moral fibre of the people, a lowering of the high tone of public life, a moral weakness alike in leaders and in rank and file that shrinks from opposing any current of public opinion and that perhaps has its ultimate roots in a sceptical attitude to religion. A more robust faith, while noting these things, will reflect that apparent degeneracy has appeared again and again in English history, and has never lasted very long, but on the contrary has invariably been succeeded by periods of exceptional vigour. If the present decline should prove to be a real degeneracy, even if only a temporary one, it constitutes a serious danger to the Empire.

These are critical times in inter-Imperial relations, and a single great mistake, or a succession of small ones, might have a very alienating effect upon Dominion sentiment. But with a permanent Imperial Conference controlling the Dependent Empire, the dangers from any temporary decline in the prestige and power of the Parliament of Great Britain would be minimized. It would but secure the transference of more responsibility to the Imperial body. The danger may not prove a real one, but its remedy need not be in doubt.

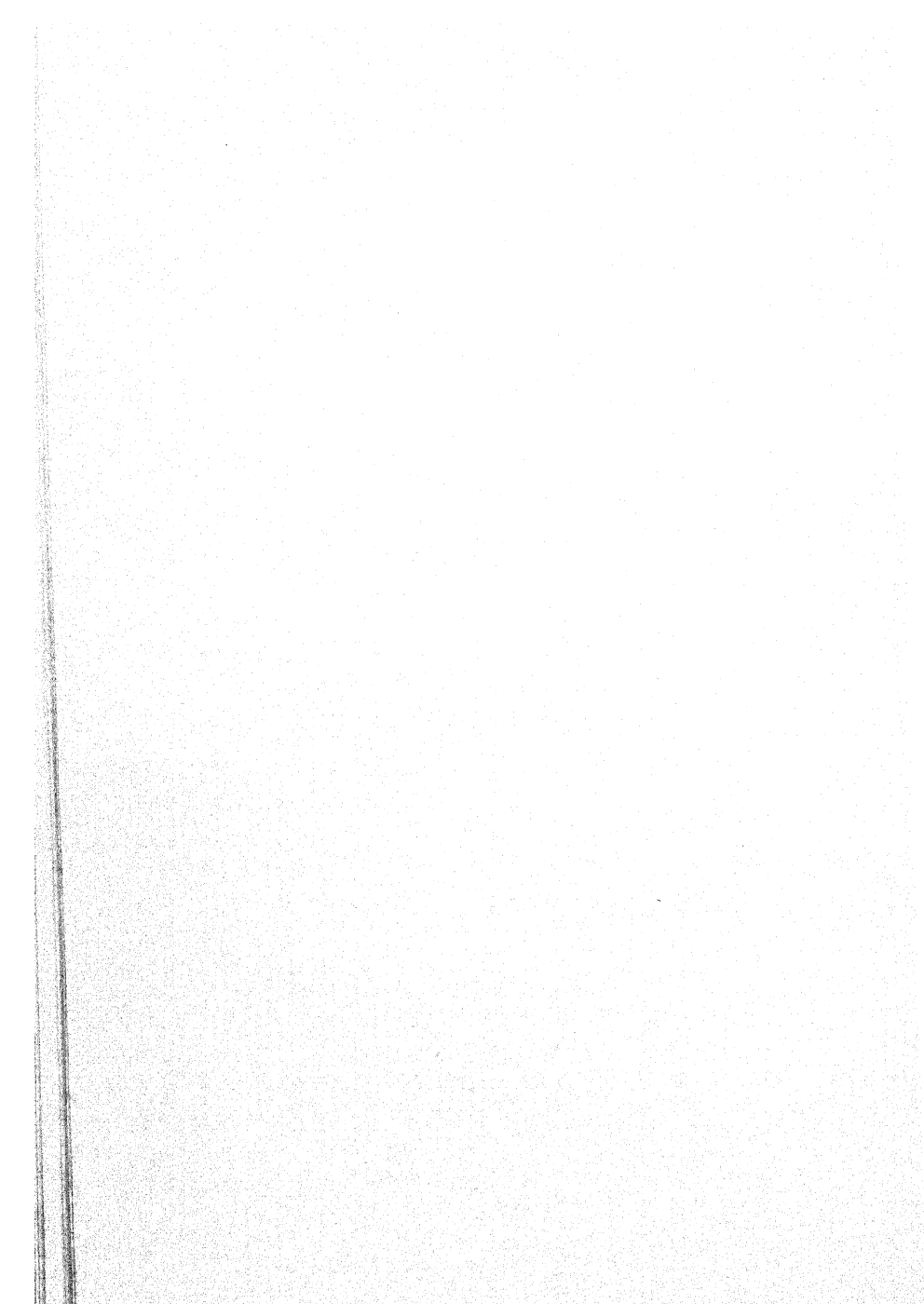
The contrast between the Empire, which has practically no institutions, and the League of Nations, which possesses many, has already been pointed out. It involves grave dangers for the Empire, for it must never be forgotten that the Dominions are separate members of the League of Nations, co-operate less upon it than the independent States of South America and frequently vote against both each other and the United Kingdom. That is not a wholesome or a natural situation for any political society. It might almost have been designed for promoting estrangements, and it can be counteracted in only one way, that is, by the creation of Imperial institutions. The proposals which have been made would set up beside the Throne two great Imperial institutions, namely, a permanent Imperial Conference and a Court. All three institutions would inevitably strengthen each other, and would ensure to the Empire a constitutional retreat wherein it might compose its Genevan differences. May it not be fairly claimed for such suggestions that they represent "new Imperial ideals"? It has been shown that Dominion participation in the control of the Colonies would confer both upon Great Britain and upon the Dominions several priceless boons. What effects would it have on the Dependent Empire itself? An attempt to answer that question will be found in the chapters which follow.

BOOK II

*DOMINION INFLUENCE ON THE  
DEPENDENT EMPIRE*

"It was a fixed principle in Lord Milner's mind, to which on more than one occasion he gave effect, that every available opportunity should be taken to arouse Dominion interest in the Colonies."

—SIR GEORGE FIDDES, in "The Dominions and  
Colonial Offices," p. 274.



## *PART I. DOMINIONS AND COLONIAL GOVERNMENT*

### CHAPTER I

#### INTRODUCTION : THE THREE GREAT PRINCIPLES OF COLONIAL GOVERNMENT

THREE great principles inspire the Government of the Dependent Empire, namely, (1) Western " Democracy " ; (2) Trusteeship ; and (3) Indirect Rule. Through all the intricacies of a thousand local policies the influence of one or more of these principles may always be traced ; and without them the study of Colonial government is indeed an unnavigable sea. They are not mere distant guiding stars of administration, leading on rulers from one objective to another and faintly illuminating the way. They are something altogether more active and intimate in the affairs of government. They mould institutions and policies, and through a whole hierarchy of subordinate principles they enter into the minute, day to day decisions of officials and legislators alike. They impinge on all minds. Governors, planters, missionaries, natives, all in various ways feel their force, often unwillingly. They colour almost every aspect or relation of life. In short, it is very largely through them that each Dependency is what it is. The first, whatever we may think of it, is a new Imperial ideal, and the other two are new in their modern forms.

Fundamentally these three principles are inconsistent with each other. Western Democracy is being largely applied in the East, where it is producing results radically different from those which trusteeship is

creating in Africa ; for between the Simon Report and the Ceylon Report on the one hand, and the Hilton Young Report and Lord Lugard's "Dual Mandate in British Tropical Africa" on the other, there is a deep gulf fixed. The former would fashion in the East communities proudly confronting the world as "self-governing," but within groaning under the tyranny of their own Western-educated classes. The latter present the prospect of an Africa politically indeed and economically thankless to settlers, but benignly administered on behalf of the bulk of its inhabitants. This is a striking contrast. Indirect Rule, the third principle, is inconsistent with the other two, but takes some colour from the surrounding administration. The days of trusteeship in British India culminated under Lord Curzon, and were then accompanied by the maximum of interference with the Indian States, but now the official attitude to the States is more and more that they represent a form of "self-government." Very different is the position of a Fulani Emirate in Northern Nigeria, being actively supervised. The Emir rules, but with assistance and on trust.

Here then is a tremendous conflict of principle, and the future of the Dependent Empire will depend on its result. What part would Dominion influence play in that conflict, and with what effect ? Do the Dominions want to see a great heathen Dominion in India, a Dominion definitely in the hands of a non-Christian Government, or on the other hand, are they so wedded to the shibboleths of Western Democracy that these must take precedence of everything ? Would they seek to apply democracy at once to the illiterate tribes of Africa ? Or would they be willing to trust the "men on the spot" ? Or again, would they ever trouble to study cautiously the actual working of trusteeship ? These are difficult questions, but they must be answered if we are to estimate the probable effect on the Dependent

Empire of transferring the control of it to a permanent Imperial Conference. Before considering them it may be worth while to try and picture the earlier effects of such a transfer, for it is certain that Dominion influence would be active in concrete suggestions drawn from the analogies of Dominion experience, before it entered the domain of major policy. What then would be the first-fruits of Dominion influence on the Colonies ?



## CHAPTER II

### FIRST-FRUIITS OF DOMINION INFLUENCE ON THE COLONIES

ON the transference of the ultimate control of the Dependent Empire from the Parliament of the United Kingdom to a permanent Imperial Conference the general course of Dominion influence on that Empire might be expected to be somewhat as follows: At first there would be little change. The Dominions would probably realize with some surprise how little power is actually exercised from London, and how much has been delegated to men on the spot and to local legislatures. Presently, however, they would begin to criticize. They would realize that the economic conditions in many of the Colonies are far more like those in certain Dominions than they are like those in the United Kingdom. They would see administrations attempting what Dominion experience had clearly shown to be economically foolish or impossible, and they would begin to make their views felt.

From the first, no doubt, South Africa, with its colour bar standpoint, and its proximity to certain Dependencies, would be actively interested in major policy, but knowledge of the immense climatic and racial differences which prevail within South Africa itself would have a steadying and cautioning effect. Moreover, certain other Dominions, which would also be interested from the first, would approach the Dependencies from the trustee rather than the settler angle. New Zealand has had experience of Colonial empire-building in various islands in the Pacific, holds the mandate for Western Samoa, and has a very

honourable record of trusteeship; and Australia has been responsible for the primitive people of New Guinea. Moreover, New Zealand, Australia and Canada have contact with indigenous races of their own, and Newfoundland has a huge quasi-dependency in Labrador. Nevertheless, it would not be until their commercial links with the Dependent Empire multiplied and they came to understand its problems better, that the Dominions would be likely to insist on shaping major policy. Meanwhile, the earlier effects to be expected from their influence may be readily summarized, and should be very welcome. They mostly flow from the simple fact that Colonial economic conditions approximate far more closely to Dominion conditions than to those of the United Kingdom with its dense industrial population, its free trade and its old-world traditions.

(1) First in order of time might be expected certain changes in Colonial policy which have long been needed. At present, broadly speaking, the tariff systems of the Colonies are tariff systems for revenue only, but if there is one thing that the Dominions understand thoroughly, it is the use of tariffs to diversify industry. It is only beginning to dawn on British officials that it is not really a good thing for a Colony to "put all its eggs in one basket." Their dependence on sugar is ruining the West Indies and British Guiana. The Gambia has concentrated dangerously on ground-nuts, and the Gold Coast on cocoa. Each of these Colonies is at the mercy of the vagaries of a single market. In the latter case the cocoa plantations have even been allowed in some districts to reduce the area available for vegetables and other home-grown food below the minimum reasonably necessary for native health. Coupled with the nutritive deficiencies of yams, on which the people so largely depend, this over-growing of cocoa has created a distinct medical problem,<sup>1</sup> which it is safe to

<sup>1</sup> Cf. Cmd. 2744 (1926), pp. 77-8.

say would never have arisen under a Dominion regime. Whether by the use of tariffs or by whatever means, such a regime would insist on variety of production. Development might be slower, but it would be infinitely sounder. It is not a mere accident that our most prosperous Colony, Ceylon, is also the Colony with the greatest variety of produce.

(2) Almost all the Dominions have long learnt two lessons, of which British Colonial administration is only now learning the first, namely, the supreme importance of roads in an undeveloped country. Dominion participation in Colonial government would almost certainly mean a great acceleration in the development of all means of communication, but it would mean far more than a mere speeding up of construction. In a new country there is the most intimate correlation between roads and railways on the one hand, and trade on the other. This correlation is thoroughly understood in the Dominions. Its problems are only beginning to dawn on the Colonial administrator. Our whole system of Colonial administration, especially in West Africa, needs a drastic reorientation so as to bring the official and the trader into intimate and constant contact. At present such contact is spasmodic and utterly unco-ordinated, except when a number of trading concerns are fused into one company, as has recently occurred in West Africa. At present the administrators—much overworked men, for the most part—tend to regard administration as their whole job. The Dominions would soon put a stop to that. Their experience of the collectivism which is necessary in countries where only the State can borrow at reasonable rates would soon infuse a different spirit into Colonial administration. State marketing, State guaranteeing of prices, judicious fiscal bargaining, even the experimental subsidizing of infant industries, active solicitation from big combines for mining and other de-

velopments with guarantees of State co-operation in the provision of cheap transport—here are but a few of the economic developments to be expected very quickly from Dominion participation in Colonial development. The problem of the relations between Colonial officials and (1) traders, as in West Africa, (2) planter-owners, as in Kenya, and (3) planter-managers, as in Ceylon, has not yet been solved. Its natural solution lies in the commercially more far-seeing and active form of Colonial administration which the Dominions would favour.

(3) A great development of trade between the Dominions and Colonies might also be counted upon among the early results. This development, which would help very materially to provide that greatest of Colonial economic needs, steady markets, would in turn lead to—

(4) A continually increasing Dominion interest in the Colonies and a corresponding increase in Colonial security. Such security would be of two kinds. In the first place it would be obvious to all the world that all the Dominions, and not merely the United Kingdom only, had an active interest in maintaining the integrity of the Dependent Empire. Secondly, the fear would be relieved, which is entertained by many students of Colonial administration, that the big aggregations of international finance which are coming to play such an increasing part in the world may find ways and means of bringing political pressure to bear on Governments in London so as to inspire certain Colonial policies that would not be in the best interests of the Colonies. It would not be easy to bring such pressure to bear effectively in the capitals of some seven self-governing units of the Empire.

(5) The Colonial services would be invigorated by some of the best material from the Dominion universities. The present position whereby Africa's gain in personnel

is often India's or Malaya's loss, would be improved, and the Colonies would gain, too, from the increased knowledge of Colonial potentialities which officials on leave or retiring would spread in the Dominions.

These immediate advantages of Dominion influence, however, important as they are, would be of far less moment than the ultimate effects on major policy. Before considering the probable effects on each of the three cardinal principles of the Dependent Empire, it may be well to give a brief sketch of each principle and of its working. Such sketches, together with the forecasts of Dominion influence on the application of each principle, may then be combined with sketches of the working of subsidiary policies like Zionism, and with some account of the larger aspects of the increased Imperial unity and cohesion which cannot but flow from Dominion influence on the Colonies, so as to form a basis for a general forecast of the attainable future which lies before the Empire as a whole.

## PART II. "DEMOCRATIC" OLIGARCHY IN THE EAST

### CHAPTER III

#### "DEMOCRATIC" OLIGARCHY IN THE EAST MONTAGU'S DECLARATION

*"Όταν γὰρ ἡδὺς τοῖς λόγοις, φρονῶν κακῶς  
Πείθῃ τὸ πλῆθος, τῇ πόλει κακὸν μέγα.*

EURIPIDES, "Orestes," 907.

"There are countries in which it would be as absurd to establish popular governments as to abolish all the restraints in a school or to unite all the strait-waistcoats in a madhouse."—MACAULAY.

FROM a cursory glance at the map it would appear that there is little outstanding difference between the Dependent Empires of the pre-war world and those of the post-war world. The German and Turkish Dependencies have disappeared. Those of Britain, France and Japan are a little stronger. That is all—on the map. But when we compare the underlying spirit and life of these Empires the change is startling. The mandatory system alone represents something entirely new in Dependent Empires, and it is administered under the League in a spirit which was exceedingly rare, outside the British Empire, in pre-war times. The increasing consciousness of trusteeship among the countries controlling Africa is another portent, but perhaps the most striking difference in the British Empire is the emergence of the new principle of applying Western "democracy" to the East.

It is a principle which cannot be seen in perspective apart from some consideration of two outstanding facts concerning backward countries, and some knowledge

of its historical background. The first fact is that a backward country is essentially one where the bulk of the people are at a low level of civilization or illiterate. To set up in such a country the forms of democracy, which require some education to manipulate, is inevitably to hand over the bulk of the people to the control of the limited Western-educated intelligentsia among them. That is actually oligarchy, not democracy.

The other fact is that these Western-educated classes in backward countries do not absorb with Western education the moral ideas of the West, or if they do, dare not practise them against the opinion of their countrymen. In the result they commonly remain corrupt as the West understands corruption, that is to say, they take bribes, and place the interests of their family or caste or religion before those of the State. There are of course many honourable exceptions, especially among the genuine old aristocracy of, say, India. Again, such corruption is not necessarily very reprehensible in the individual. Where everybody is corrupt, corruption acquires the character of a custom, and the individual can hardly fight against it. The pre-war Turkish official who did not take bribes would merely have been considered a fool, and would have beggared himself. In the case of India certain private or semi-private claims are *recognized by public opinion* as taking precedence of all others. As the *Yorkshire Post* wrote in commenting on the Simon Report:

"In this country fitness for a public post is, taking a broad view of the services, the first and only consideration supported by public opinion. In India, on the contrary, appointments to paid posts in the public services are expected to be made by anyone who can control them in accordance with quite other considerations. Claims of caste, of race, of family are recognized by ordinary public opinion as proper considerations, with the result that a pressure unknown in this country

is brought to bear upon ministers in connection with such appointments. What Europeans, but not all Indians, recognize as corruption must be avoided."

It follows inexorably from these two facts about backward countries, that to set up the appearance of democracy in them is to set up the reality of tyranny by a corrupt oligarchy. There are only two ways by which that result can be avoided or modified, namely, by educating some champions or leaders among the people, or by educating a whole generation of the Western-educated classes in honest government. Either process must take time. But in the post-war world it is the fashion to suppose that time can be ignored and the immemorial East transformed in a decade. The principle of Western "democracy" for the East is being adopted in the British Empire as an immediate practical goal.

Two historical causes have combined to produce this result: (1) The first has been the catch-word "self-determination," which derives from the movement for self-government in Ireland. (2) The second has been the evolution of the principle of representative government.

(1) Before the war Ireland was not exactly a backward country in the sense above described, but it was in some sense a border-line case. Its upper classes were not corrupt. Its local affairs were managed on a dual system in which popularly elected bodies and nominated boards took part. These boards were composed of men of the highest honour and integrity. Yet in this dual system religious and other influences carried more weight in the circles that had to do with local government appointments than was compatible with the highest administrative efficiency. The peasantry were not illiterate, but they were subject to waves of political agitation, ending in grave social disorder, which even the influence of the Roman Catholic Church could not con-



trol. At the same time, the influence of that Church was dreaded by the Protestant minority, which was all-powerful in the north, and presented a problem similar to the religious problems of India. But the organic connection of a lively and idiosyncratic country with one of a diametrically opposite temperament could be represented as a spiritual grievance. It lent itself to such phrases as that "good government is no substitute for self-government," and it finally crystallized in the plausible catchword "self-determination."<sup>1</sup> The vogue of that catchword and the supposed analogy of Ireland were the first of the two historical sources of the post-war movement<sup>2</sup> to apply Western "democracy" to the East.

(2) The other historical cause was the development of the principle of representative government, and as this form of government is the final phase in the evolution of Colonial constitutions before "self-government," and constitutes the only workable alternative to "self-government," it must be examined.

It is common nowadays to describe the Government of India, or the system formerly known as "Crown Colony" government, as "bureaucracy." The term is very misleading. It suggests government from offices remote from the life of the people. All Governments must have offices of some kind where principles are enunciated, work co-ordinated and records kept; but the outstanding fact about Indian government, and about almost all British rule in primitive countries, is that the real work of government is done by the District Officer, a peripatetic official in the closest touch with the people and commonly combining in himself the functions of judge and revenue officer. The opposite

<sup>1</sup> The actual invention of the phrase is commonly and perhaps rightly ascribed to President Wilson, but its appeal derived its force from the widespread understanding of the Irish Nationalists' main argument.

<sup>2</sup> It actually began, of course, long before the end of the war.

system of stationary, "bureaucratic" officers was applied by Germany in East Africa before the war, with horrible results.<sup>1</sup> It has been tried comparatively rarely by Britain. Nevertheless, as a country develops and complicated interests emerge, the Central Government finds that it needs contact with the more articulate sections of the people. This is obtained through a legislature nominated by the Governor to represent the different classes in the Colony, but containing a majority of officials directed to vote with the Government. With increasing articulateness in various classes it gradually becomes possible to substitute election for nomination, until finally all but the most illiterate are represented by elected members, but as long as there is an official majority over the elected members, the form of government is essentially representative, not responsible, government. The executive is not responsible to the legislature, but is responsible for both legislation and administration to the Secretary of State, and ultimately to the Parliament of Great Britain.

Representative government is the final consummation of the constitutional evolution which is possible in a backward country. Before further evolution can take place with justice to the lower classes, a country must cease to be backward. The peasantry must be trained in local government, and individuals must be educated so that the lowest classes may have leaders and representatives other than the priests, landlords and money-lenders; and whatever is possible to introduce public spirit and ideas of public service among the upper classes must be done. But in the meantime there is bound to be dissatisfaction with the official majority

<sup>1</sup> "The subordinate native officials and policemen were the curse of the country. . . . Witnesses were frequently tortured and prisoners brutally ill-treated to the point of death, without due inquiry being made by the German officials. The German district officer rarely left his headquarters."—From "British Colonial Policy in the XXth Century," by Prof. H. E. Egerton, pp. 204-5.

and pressure to have it abolished. The temptation to make some concession to this pressure is strong, particularly where there are many varied groups in the legislature. The Government feels that, with emergency powers in the hands of the Governor, and with the practical certainty of support from one group or another, it can afford to make the gesture of abandoning its official majority over all parties. In Cyprus to-day, for example, there is not a clear official majority, but the Government can reckon fairly confidently on Mohammedan support. The Hilton Young Report recommends a similar concession for Kenya. It is always tempting.

Nevertheless, such concessions are wrong in theory and unjust in practice. The Government of a backward country has always a special trusteeship for some helpless class, and it must be in a position to discharge it. It may not be able to do so if it can only govern by a series of bargains. Again, it owes a clear responsibility to the British Parliament, and it ought not to be able to blurr the issues by reference to political disabilities created by its own lack of the majority which it needs. In practice, too, the Government's need of support leads to a kind of tacit bargain with one section, which is grossly unfair to the others. The Greek community in Cyprus have a grievance, but though they do not know this, its real source is, paradoxically enough, overrepresentation of themselves and others. In the long run this concession, which appears to give so much and actually gives so little, must always make the Government more unpopular than it could ever have been made through withholding the concession.

It was this principle of Representative Government which the Morley-Minto Reforms of 1909 applied to the Legislative Council of India, and this principle as modified by the abandonment of the insistence on an official majority, which those Reforms applied in the Provincial Legislative Councils. The Government of

India accordingly then reached, and the Provincial Governments were permitted to pass, the legitimate limit of constitutional development in a backward country, but in both spheres the clamour for further advance continued. It was the normal clamour to be expected at that stage of development, and it ought to have been resisted. It was resisted for long, but in the end that clamour became the second historical cause, which combined with the catchword "self-determination," and led to the decision to apply Western democracy prematurely in the East. The idea that the Western-educated classes of backward countries were now capable of continuing the tutelage of the masses which Britain had started began to be mooted by visionaries, by theorists who knew nothing of the East, and by cranks who misunderstood it; and on August 20th, 1917, Mr. Montagu, the Secretary of State for India, made in the House of Commons his momentous statement, which those who know the toiling, pathetic masses of India and the character of their oppressors, regard as one of the saddest events in the history of the world, and which may yet bring ruin upon the Empire :

"The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible, and that it is of the highest importance as a preliminary to considering what these steps should be that there should be a free and informal exchange of opinion between those in authority at home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India to discuss these matters with the Viceroy and the Govern-

ment of India, to consider with the Viceroy the views of local Governments, and to receive with him the suggestions of representative bodies and others.

"I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility."

What a time for such pronouncement! August 1917 was a very critical time in the most anxious period of the greatest war in history. All men of goodwill were thinking, planning, working for one supreme object. The fighting races of India were giving of their best.<sup>1</sup> At home no one, except a few politicians and journalists, was concerned with what seemed to be merely the academic expression of a pious hope. Few of those who knew India could bring themselves to take it seriously.

Yet from that day onwards events moved as in a Greek tragedy. Mr. Montagu, his mind already made up and his political reputation staked, visited India and conferred with a Viceroy who had gone out a year or so before, also with his mind previously made up in a similar sense.<sup>2</sup> The curious quasi-federal principle of dyarchy was adopted, and amid the uncritical enthusiasms of the post-war world the Government of India Act, 1919, was placed on the Statute Book. It was vaguely supposed that this instalment of "self-government" was a fitting acknowledgment of India's war effort, though why the unstinted sacrifices of the martial races

<sup>1</sup> Of the 683,149 combatant recruits enlisted in India during the war, 545,447 came from the Punjab, the United Provinces and the North-West Frontier Province.

<sup>2</sup> Cf. the statement made by Lord Crewe in the House of Lords on December 12th, 1919.

should be rewarded with subjection to a Vakil-raj was not explained. Meanwhile, it became widely accepted that Mr. Montagu's announcement was a "pledge" that must be honoured at an early date. The element of promise was noted. The attached conditions were forgotten. Yet neither Mr. Montagu's announcement nor the Government of India Act, 1919, specified any definite date when "responsibility" must be conferred ; nor (until the Simon Report) has any subsequent official pronouncement ever suggested, much less promised, that the voiceless peasantry of India in their millions shall be handed over for oppression by their ancient oppressors, before they have been provided with educated leaders from among themselves. The question is of some importance, for this peasantry numbers about "one-eighth of the human race." The pledge was not a pledge to the tiny band of politicians and educated people alone, but to all "the Indian peoples." Before inquiring how it is proposed that the pledge should be honoured, it is necessary to take a general bird's-eye view of the conditions of the whole problem so as to see it in perspective.

## CHAPTER IV

### THE PROBLEM STATED

*Ὅτι μὴν πρὸς τοῦτο βλέποντες τὴν πόλιν οἰκίζομεν, ὅπως ἐν τῇ ἡμῖν ἔθνος ἔσται  
διαφερόντως εὐδαιμων, ἀλλ' ὅπως ὃ τι μάλιστα ὄλη ἡ πόλις.*

—PLATO, "Republic," iv, 1.

"DEMOCRACY" is supposed to be government by the people. A backward country is, broadly speaking, one in which the bulk of the people are illiterate, or at least on an extremely low level of civilization, and in which the Western-educated classes, who are commonly the vocal section of the upper classes, are corrupt. How "democracy" is to be applied to such a country is indeed a problem. When in addition there are acute religious and racial divisions, a standing external menace of military aggression and an internal one of famine, a degraded womanhood and a cruel caste system the needs of whose victims cry to Heaven for redress, the problem presents difficulties which may well prove beyond the wit of man to solve.

How can power possibly be given to the backward masses? And how can they form any possible judgment about using it if they do get it? But if they do not get it—and even a slight property qualification will disfranchise them in their millions as effectually as a literary test—the result will be oligarchy, not democracy. If the principle of democracy is frankly abandoned and that of oligarchy adopted instead, power being placed in the hands of the corrupt upper classes, how are the masses to be protected from their oppression? Or is it possible to protect them at all? Again, if there are deep religious and racial hatreds, are the parties to be

allowed to fight it out ? That way lies civil war. But if a foreign or paramount power remains to keep the peace it will in effect be supporting indefinitely the tyranny of the numerically stronger party over the numerically weaker—ultimately a morally untenable position. Again, if the backward country is not in a position to defend itself externally against a threatening power with a modern army, or internally against famine, and if the paramount power is compelled to remain in force in the country for these purposes, what is to be its relation to the oligarchy ? Finally, what hope of redress is there for the victims of caste systems and purdah if the government is placed in the hands of the very people whose interest it is to perpetuate these things ?

The striking fact about all these questions is that they do not arise under the system of representative government. Under that system there is unlimited consultation of the elected representatives of the Western-educated or upper classes through the legislature, and the Government's policy is amply explained and defended to those classes through the same channel. Meanwhile, the Government maintains another sort of contact with the masses of the people through the district officers. The Government is thus in a position to appreciate the real wishes of both sections, to frame its policy impartially, and since it retains the real power through its official majority, to act upon it. But the moment the official majority is abandoned and a measure of real power passes to the elected representatives of the Western-educated or upper classes, then in so far as some power so passes, while the Government remains wholly responsible to the British Parliament, there is a divorce of power from responsibility and a totally new system of government is set up, based on a new principle, the principle of government by bargains. In that system Government always plays a losing hand, for it is responsible for the day to day business of supply



and legislation, and in order to secure the smooth passage of these it is compelled to acquiesce in the growth of constitutional conventions limiting its power and increasing that of the elected representatives.<sup>1</sup> In short, the transference of some real power to the elected representatives enables them to obtain further and still further power unless this tendency is vigorously resisted, and each such transfer increases the divorce of power from responsibility. Power and responsibility can only be combined again in one of two ways, either by another transference of power, this time to the Government from the elected representatives (as recently in British Guiana), or by a transference of responsibility from the Government to these representatives. This latter is of course loudly demanded, but as the elected representatives are not responsible to the British Parliament, it can only take place through the British Parliament partially abdicating its responsibility and transferring it to the elected representatives of the Western-educated classes. This, as already pointed out, is a betrayal of the masses, and establishes oligarchy.

Attempting to deal with these dilemmas and difficulties three general theories have been evolved of how it may be possible to civilize a backward nation to which the "democratic" principle is to be applied. They may be briefly referred to as (1) the educational re-direction of indigenous culture; (2) the checkmating of villainy by constitutional devices; and (3) "natural reform" under "democratic" oligarchy itself.

(1) The first theory is really almost impossible to

<sup>1</sup> As an example of such a convention the browbeating of Heads of Departments by the Finance Committee of the Legislative Council of Ceylon may be mentioned. The Ceylon report (p. 23) stated: "It has become the practice for Heads of Departments to be treated as hostile witnesses, against whom it is permissible to employ all the forensic arts of cross-examination. The conciliatory policy of the Government militates against these officers receiving adequate protection from the Chair, and the latitude allowed to the Committee places them at a further disadvantage."

apply under any constitution more "advanced" than representative government. It aims (a) at changing the moral tone of the Western-educated classes, and (b) at providing the lower classes with educated men among themselves who may act as their leaders. The first half of this policy is far more likely to be successful where one of the other two great principles of government is being applied (that is, Indirect Rule or Trustee-ship) rather than under Western "democracy." For example, schools in India for the sons of Indian Princes and in Africa for those of African chiefs, have great results to their credit, not necessarily through purely Western education, but by combining a curriculum practically suited to the needs of the pupils, with the inculcation of the British spirit of public service. Nevertheless, much has been done of a similar kind in British India. The other half of the policy was perhaps the one hope of producing true democracy in India, but it could only be retained under representative government. It was abandoned when education, which is now a transferred subject, passed out of the control of the Indian Government.<sup>1</sup>

(2) Devices for checking villainy automatically by constitutional safeguards have often been propounded by theorists, and the result has sometimes been achieved in practice.<sup>2</sup> The attempt to secure it in Ceylon by balancing interests through an ingenious arrangement of Committees, will be described in a later chapter. The Simon Report adopts the principle in attempting to remove all patronage from political control. The difficulty about all such schemes is that they have no

<sup>1</sup> University education slipped out of Government control very early. The starvation of elementary education and the pouring of money into higher education beyond all reasonable needs, are among the most important causes of the present situation in India.]

<sup>2</sup> The Committee system of the United States' House of Representatives is reputed to dispose annually of some thousands of plausible schemes embodying very promising villainy.

necessary permanence. They are always arbitrary, difficult to defend without making unpleasant insinuations, liable to be circumvented in practice, and certain to be abolished when real power is placed in the hands of those whom they are devised to restrain.

(3) The third theory is constantly advanced as a principal reason for attempting to democratize the East. It is that a Western Government can never venture, as an Indian Government might, to attack social abuses or to impose the taxation necessary for spreading popular education. "The reform of Indian social customs can only come from India herself." Those who hold this view can point to the introduction by Indians of bills to modify the evils of child marriage and sanctified prostitution in temples. Nevertheless, there are two great flaws in the argument. In the first place the urge towards reform always has a Western origin. Miss Mayo's book of plain facts about India has stung Western-educated Indian politicians into some temporary action in self-defence: such criticism too obviously endangered the chances of self-government. But with the passage of real power into priestly and moneylending hands, social reform will be bound to slow down, and suppressed practices to revive. It is the considered opinion of some who know India well, that a completely self-governing India would revive the legality even of sati.

The other flaw in the argument is hardly disputable. The Western-educated intelligentsia of India would never educate representatives of the masses to attack themselves. They would see to it that there was no escape from the oligarchy.

Such then are the problems and questions raised by the principle of applying Western "democracy" to the East. There have been two large-scale attempts to grapple with them, namely, the Simon Report and the

and although its proposals are actually to have a trial, they are unlikely to interest students of Imperial history except as regards the precise way in which they break down, and as a pointer to the folly of our times. But the Simon Report will always take its place as a notable attempt to deal with some of the difficulties of applying Western "democracy" quickly to the East. It attempts the impossible, but it will repay examination.

## CHAPTER V

### THE SIMON REPORT : A MILESTONE TOWARDS OLIGARCHY

"We have indicated the strictly confined range within which the flow of political consciousness manifests itself ; within those limits there are many cross-currents. But what is the general direction of the stream ? We should say without hesitation that, with all its variations of expression and intensity, the political sentiment which is most widespread among all educated Indians is the expression of a demand for equality with Europeans and a resentment against any suspicion of differential treatment. The attitude the Indian takes up on a given matter is largely governed by considerations of his self-respect. It is a great deal more than a personal feeling ; it is the claim of the East for due recognition of status."—"Simon Report," vol. I, p. 408.

WHAT has been written so far about the principle of "democratic" oligarchy has naturally been somewhat abstract and theoretical. A mere skeleton of thought, it must now be clothed, as it were, with flesh and blood, and brought to life. To do so is to particularize and date it. The historical importance of the Simon Report, however, enables this to be done without making the interest ephemeral.

For whatever the ultimate fate of the Simon Report—and its complete adoption would be a political miracle—nevertheless it must remain for all time one of the most extraordinarily illuminating historical documents, preserving rather cruelly in its limpid style, like flies in amber, some of the most foolish Imperial doctrines of our time. Briefly, it presents, in its first volume, a masterly survey of British India in all its aspects at the close of ten years of incipient self-government ; and in the second volume a desperate attempt is made to perform the impossible constitutional feat

of reconciling the forms of Western democracy with the tangled facts of the great sub-continent. Both volumes are masterly in their several ways, but both are vitiated by three fundamental mistakes made by the Commission: (1) they misinterpreted their terms of reference; (2) they made a mistake in procedure which prevented their receiving the most important evidence; and (3) they decided to ignore the demonstration of the realities of India which events afforded after they had left.

(1) The Commission completely misinterpreted their terms of reference in thinking that they were bound by the spirit of the Montagu declaration (cf. Vol. I, bottom of page 1 and top of page 2—"we can do no other"). They were appointed under the Government of India Act, and Section 84a (quoted on page xvi of the Preface to Vol. I) states that—

"the Commission shall report as to whether and to what extent it is desirable to establish the principle of responsible government, or to extend, modify, *or restrict*, the degree of responsible government then existing therein. . . ."

This clearly gave the Commission full power to restrict anything that had proved a failure.

(2) The first duty of the Commission was to investigate the working of the reforms brought about by the 1919 Act, and inasmuch as administration is of infinitely greater importance than legislation in a backward country, and remembering that India was an oriental country, it was their duty to endeavour, by every means in their power, to find out how those provincial services which had been transferred to Indian control had worked; what had been the precise degree of corruption, nepotism, waste and inefficiency involved; and as nearly as possible the amounts of misery and loss entailed upon the humble people of India. It was not

an easy undertaking, but with tact and patience, behind closed doors, and under honourable undertakings of secrecy and freedom from victimization, the Commission might have learned the truth.

Corruption and nepotism, as understood in the West, together with religious and caste favouritism, were marked out for the Commission as a principal subject of investigation, in view of the well-known attitude of Indian public opinion on the subject of the obligations of loyalty to family, caste and religious community.

The Commission did, doubtless, obtain some information on this whole subject privately, for one of their recommendations is the freeing of the services from politics (an excellent recommendation in itself, but quite inconsistent with the proposed provincial self-government). But unfortunately from the very start the Commission debarred themselves by their procedure from obtaining reliable evidence on this whole aspect of their problem. They were debarred from obtaining any reliable evidence regarding corruption and nepotism in these transferred services, because they had associated with them two groups of Indians (the Central Committee and local committees of the Provincial Legislative Councils concerned). With the local Indians present no Indian would, of course, dare to tell the truth on such matters, but *neither could the white officials who knew that they would have to work with those local Indians again afterwards*. Officials of the transferred services would have before them the possibility of having to work *under* some of those local Indians or their friends ! (In point of fact only the Government of Bihar and Orissa had the courage to tell part of the truth.)

The result is what might have been expected. There is nothing in the Report to indicate that the Commissioners appreciated the results which Indianization has actually produced in the transferred services, or understood the strong reason which these results

constitute for delaying political "advance" until the lower classes in India, who suffer by all bad government, have educated spokesmen and leaders. After all, the question of corruption is all important in relation to land revenue, irrigation, forests, justice, famine relief and co-operative societies. If Western-educated Indians in charge of reserved services are already themselves taking bribes on an extensive scale and conniving at endless oppression by their subordinates, then it would seem that to hand over the peasantry to their tender mercies in such matters as land revenue, or even forests (which give endless opportunities for oppressing the "forest-dwellers" as well as for corruption in connection with contracts), before the peasantry have educated representatives to defend their interest, is to betray our trusteeship for the welfare of the vast bulk of the people of India.

(3) The decision of the Commission to leave their work unaltered in spite of the very clear demonstrations of the riots and murders that follow Governmental weakness in India as surely as night follows day, can only be described as fatuous. These matters are not only part of the working of the reforms on which the Commission were directed to report, but throw a most important light on the realities of India, with which constitution-makers must deal. To draw but a single obvious inference, they point, as the history of the Moplah rebellion pointed, to the absolute necessity for *quick* action in Indian emergencies, and they suggest modification of the provisions on pages 49 and 150 for subjecting Governors to the supervision of the Governor-General in the exercise of their emergency powers. When a real emergency arises the man on the spot must be able to act without fear of being attacked afterwards by Indian legislatures for not awaiting Viceregal sanction.

These are grave fundamental defects, and they deprive



the Simon Report of much of the value it might have had. Vol. I, however, has great value in other directions.

(1) It is just to the Princes in the main matters, inasmuch as on page 86 of Vol. I it transcribes (apparently with approval) the "strong opinion" of the Butler Committee that the Princes "should not be transferred without their own agreement to a relationship with a new Government in British India responsible to an Indian legislature"; and on page 203 (nine lines from bottom) of Vol. II it lays it down that closer association between British India and the States "can only come about if and in so far as the Indian States desire that it should."

(2) Again, the Report frankly recognizes the dangers, both external and internal, with which the Indian Army has to cope; in general realizes the necessity for extreme caution in tampering with the Army; and provides for British and Imperial control for many years to come. The financial provision for the Army is excellent—perhaps the best thing in the Report.

(3) It emphasizes the differences between Burma and India, and advocates their separation.

(4) It appears to appreciate fully the *constitutional* difficulty created by communal feeling, and it preserves the Mohammedan separate electorates.

(5) Much of the description and appreciation of the present position is excellent, especially when the Commission come to describe the natural working of the present central and provincial constitutions.

It is indeed a queer constitutional world, this British India of the Montagu-Chelmsford Reforms, to which we are introduced in the Survey Volume of the Report. The field of Government is divided into Central and Provincial subjects, and the latter by dyarchy into "reserved" and "transferred" subjects, according as the Ministers in charge of them are responsible to the

Governor (and ultimately through him, the Governor-General and the Secretary of State, to the Parliament of Great Britain), or to the electorate. At first sight this looks like a federal relation between the Centre and the Provinces, but in practice all the distinctions are somewhat blurred owing to the concurrent jurisdiction of the Centre and the Provinces in the reserved Provincial subjects, and to the practical necessity for the two halves of the Provincial Government to support each other in facing the same legislature.

The machine as a whole is complex. The Provincial Legislatures are unicameral, but the Governments are complicated by dyarchy, by the extent and variety of the areas which they rule, these vast "satrapies" being comparable in size and population to European States; and by special arrangements for backward tracts. At the centre is the Governor-General (Viceroy) in Council, assisted by a bicameral legislature, in which he has not an official majority, but which he can override. There is also a purely consultative Chamber of Princes representing the Indian States. The Governor-General is responsible to the British Parliament through the Secretary of State. The Central Government controls external relations, including relations with a whole fringe of protected or "sphere of influence" States, such as Muscat and Oman in Arabia. It exercises some general supervision over the nine great Governors' Provinces of British India, and, through the Political Department, over the Indian States; and a close administrative supervision over the six minor provinces. Last of all comes the apex of the pyramid, the Secretary of State, who is partly checked by the Council of India, and is responsible to the British Parliament. Over it all and unifying it all is the sovereignty or (in the case of the States) the paramountcy of the Crown.

Allowing for the fundamental mistakes made by the Commission, their Survey must be pronounced exceed-

ingly good. Their mistakes debarred the Commission from obtaining a true view of the administrative decay and corruption which the reforms have provoked, and from forming a true forecast of the results to be expected from Indian "self-government." But the facts as the Commission did see them are presented with candour. Taken as a whole, or at least apart from the current constitutional position, they describe the background which must continue to be the dominating factor in the Indian scene for decades to come. In the quotation at the head of this chapter may be seen the dominant motive of the Western-educated classes in India, and of the whole nationalist movement in that country.

## CHAPTER VI

### THE SIMON REPORT CONTINUED : THE NEMESIS OF OLIGARCHY

"There is a common idea that a people is unfit for democratic government unless it contains a considerable number of highly educated men ; and further, that when it gets an educated class the power should be entrusted solely to that class, from which it will somehow work its way downward to the people as they become educated. I cannot find any justification for either of these beliefs. They are, indeed, pretty nearly the reverse of the truth. The people that is least fit for a democratic government is one with a large, powerful, wealthy, and highly educated aristocracy or middle class, with an ignorant peasantry or proletariat. The people best fitted for democratic government is an intelligent peasantry with no aristocracy and no rich middle class."—R. GRANT BROWN, I.C.S. Retired, in "Burma as I saw It," p. 185.

IN the temple of philosophic fame there is always a series of interesting niches for those who, accepting the current teaching of their day, have by their lucid and consistent thinking exhibited its absurdity. In the philosophy of empire a similar position must for ever be assigned to Vol. II of the Simon Report, for here, as never before, the absurdity—to say nothing of the cruel injustice—of attempting to apply Western democracy to the East, is exhibited by people who believe in it. The interest, of course, lies not in the proposals themselves, which are happily not likely to be adopted, but in the principles which they imply.

Briefly, the main proposals of the Report imply the following principles :

(1) *In the Provincial Sphere.*

- (a) "Self-government" or oligarchy, that is, under the forms of democracy, the actual rule of the upper classes.

- (b) Safeguards against disorder and on behalf of the masses, in the form of reserve and emergency powers for the Governors.
  - (c) Reservation of seats for depressed classes.
- (2) *In the Central Sphere.*
- (a) Government by overriding powers, that is, maintenance of the system of an irremovable executive facing a (probably hostile) elected majority in the legislature, the executive being responsible, not to the legislature, which it is to override, but to the British Parliament.
  - (b) Gradual evolution towards a federal government for all India, including the Indian States, the process to be begun by the substitution of a federal bicameral legislature representing the Provinces, for the present legislature, and by the creation of a consultative council for Greater India on which the Indian States would be represented.
  - (c) The defence of India to be transferred from the Government of India to an authority representing the Empire.
  - (d) The separation of Burma.
- (3) *Generally* the whole constitution to "contain within itself provision for its own development."

These are indeed ominous principles. Should the scheme based on them be adopted, it is safe to say that the ruin of the Indian Empire as it exists to-day would be only a question of time, and that it would bring heavy misery upon millions of the human race. Before any details are considered three main aspects of this scheme, as of any scheme, demand examination: (1) How would it develop constitutionally in the Provinces? (2) How would it develop at the centre? (3) How would it affect the peasantry, the minorities, and the depressed classes?

(1) The Provincial development could not be otherwise than towards a rapid elimination of the Governor as an important factor in government. Theoretically he would have large reserve powers. In practice reserve powers are exceedingly difficult to use except in the case of single, large and obviously outrageous proposals. In practice the policy of a Government develops, not in leaps, but by the cumulative effect of numerous changes, none of which is large enough to make the use of reserve powers easy to defend. The transference of the police to the control of Indian ministers would mean the rapid deterioration of that splendid body and the division of its loyalties. When the Minister in charge of Law and Order was a Hindoo, Mohammedan police would be disaffected, and vice versa. The Governor would soon come to understand that if it were necessary for him to use his emergency powers he could hardly do so because there would not be to his hand the necessary effective police machine. In practice, for these and other reasons, emergency powers quickly become obsolete through disuse and the Governor becomes a "constitutional" ruler. That would be bound to happen in each Province, and sooner rather than later. Thereafter the safeguards vested in the Governor must be considered a dead letter. Before this stage had been reached, however, it is probable that the inevitable demand for Indian Governors would have been granted, for there would be no logical ground for resisting it.

(2) The position of the Governor-General *vis-à-vis* a federal legislature representing these powerful, "self-governing" Provinces would be bound to follow a similar course. That course has already been traced in the constitutional evolution of Ceylon, and is described in the Ceylon Report. The Viceroy's pace might be slower, but the end would be the same. An irremovable executive cannot for ever override an elected legislature. Government by overriding powers means in practice

government by bargains, which soon leads to "constitutional" rule. With a "constitutional" Viceroy, the "self-government" of India would have begun, all real safeguards would go and the way would lie open—as it must lie open if ever the "self-governing" federation of India envisaged by the Commission comes into being—to "Dominion status," and the power to leave the Empire by altering the Act of Succession. It does not require a very penetrating imagination to foresee for India in that event the possibilities of "Chinese anarchy" or development into a system, in alliance with Russia, of Soviet Socialist Indian republics.

(3) Meanwhile, what is to happen to the peasantry of India? Referring to the Montagu-Chelmsford Reforms, one of the most acute of writers on the Empire observes that—

"The elementary needs of the 300 odd silent millions in India, mostly unambitious peasants, remain what they always have been and always will be: first, protection of person and property against lawless violence; second, an earthly providence to "drive the road and bridge the ford" and ward off famine; third, by a long interval, so much liberty of thought and speech as are compatible with the other and paramount interests. There was reason to fear beforehand, and sad experience has already proved, that the tendency of the recent reforms is diametrically opposed to these elementary and permanent interests of the people; who themselves neither asked for nor appreciate them."<sup>1</sup>

By drastic, and probably in themselves unwise, proposals, the Simon Commission propose a vast extension of the Indian electorate. Yet the total proportion of the adult population which would even then be enfranchised would be only ten per cent. Three illusory safeguards are proposed for those that remain, who include many minorities in this land of minorities. These

<sup>1</sup> From "The Empire in Eclipse," by Richard Jebb, p. xxvi.

safeguards are the responsibility of the Governor for peace with only emergency powers for securing it, that is, when it is badly broken; similar responsibility of the Governor-General (a "blurring" of responsibility between the two that will often lead to disastrous delays); and the Governor's trusteeship for minorities (which he would be unable to carry out in the day-to-day work of administration and legislation, which is what really counts, though he might be able to stop *sweeping* proposals of an outrageous character). With "constitutional" Governors even these safeguards would be swept away.

These voiceless millions of India include some forty millions of Depressed Classes, for whom legislative representation is at present provided by nomination. For this the Commission would substitute representation by reservation, a thoroughly unjust principle which, in view of the small numbers of qualified voters in the Depressed Classes, must mean in practice, subject to some scrutiny by the Governor, the choice by other classes of the representatives of the Depressed Classes. The principle of reservation as a safeguard for a minority inevitably means the representation of the minority by its own renegades, that is, by those of its members who are most ready to betray its interests. It is not a hopeful provision of the Simon Report. Of the smaller minorities, many of the ten million Aborigines live in backward tracts, for which there is special provision; and there are safeguards, express or in effect, for the Christians, Sikhs, Anglo-Indians, Parsees and non-official British, which might partially protect their interests in the early stages of "constitutional development." The powerful Mohammedan minority of sixty millions should be able, with its communal representation in the early stages and its fighting ability later, to protect itself.

These primary tests of the Simon Report do not



give encouraging results. Many details of the scheme are also open to particular criticism, and some, by their very absurdity, make it plain that the Commission attempted an impossible task.

(1) A dangerous scheme mentioned in Vol. I (p. 107) for two armies, one under the Governor-General and the other under Ministers, is apparently approved (subject only to "technical questions") on page 177 of Vol. II, with the singular addition that the Ministers may have naval forces as well! The Commissioners seem to rely on this army being kept weak by the "strict limits" of the available funds, but as the growth of a "self-governing" India would depend on the growth of these forces, we are presented with the probability that health and other such services might be starved in order to build up this unnecessary extra army!

(2) There is an inherent repugnance between the responsibility of the British Parliament, to be exercised through the Governor-General and Governors, for the peace of the whole of India, and the transference of all Provincial powers, including Law and Order, to Indian Ministers. In other words, there is a downright contradiction between—

(a) The principle laid down on page 168 of Vol. II (lines 22-26) in general terms, and definitely on page 169 in the words, "It appears to us that it would be impossible to contemplate the use of British troops to quell civil disturbances at the unrestricted bidding of Ministers popularly elected and answerable to popularly elected legislatures," and again in a note on page 169: "that troops recruited under Imperial authority ought not to be used in support of a policy for which the Imperial Government is not ultimately responsible"; and (b) the principle laid down on page 177 of Vol. II of "the continuance unimpaired of the British Parliament's ultimate responsibility for the maintenance of the public peace."

This latter principle amounts to this, that if the Governor's special powers became obsolete (as all such powers do) by disuse, the politicians and the majority communities would be able to inflict almost any injustice, and when the sufferers (who *might* be a majority of the population, but who might not have votes, or whose representatives might be in a minority) resorted to the last and agelong remedy of the East when oppressed, and rose in revolt, they would be put down by British bayonets. This would definitely commit the Secretary of State and the Army of India potentially to the buttressing of tyranny.

The Commissioners vainly attempt to reconcile these principles by placing the use of the troops in the Governor's hands (p. 178), but this does not get over the fact that their use is to suppress disturbance caused by policies (and therefore to enforce policies) for which the Governor is not responsible, except that in some cases he might have used emergency powers to stop them. Once he had become a "constitutional" ruler he would not have even those powers.

(3) The remarks on Indian nationalization contain a warning which is very like a threat to the Princes (Vol. II, p. 12). This whole passage of the Report clearly points to the need to invest the Governor-General and the Governors with a special trusteeship or watching brief to see that the politicians in these "autonomous provinces" do not use their power to injure or bring unfair pressure to bear on neighbouring Princes or their States.

(4) The proposed consultative Council for Greater India would be debarred from discussing any but a very limited list of subjects (pp. 204-5).

(5) Part VIII apparently looks forward to taxes that would mean a great burden on industry, to a higher income-tax which would bear specially hardly on Europeans, and to a general increase in taxation which would

spell misery to the peasantry on whom it would ultimately fall. In this connection the peculiar difficulties of collecting income-tax in India do not seem to have been realized at all. The main burden of income-tax always falls on the white community.

The financial proposals look forward to so much taxation of the Indian upper classes (especially land-holders) that this part of the report as it is studied must continue to rouse *real* consternation in India.

(6) The centralization of the High Courts is unwise. Every Indian Governor who has had to nominate High Court judges is familiar with the danger of intrigues designed to put very undesirable people, and sometimes even downright scoundrels, into his Provincial High Court. He can meet such attempts by means of his local information about the men. If all that intrigue were transferred to Delhi and Simla much of it would be successful, and the Provincial High Courts would be in time largely staffed with extremely undesirable people. To name only one result, there would be increasing friction between the Governors and the High Courts, and between various departments and their subordinate Courts. It is significant that the "centralized" High Court of Bengal has traditions of conflict with the Government going back to the days of the Company. In other respects, too, the legal arrangements would promote confusion between Courts. Centralization, which should make for the purity of the administration of other subjects, is in the case of the law the worse of two evils.

(7) If examined carefully it will be seen that the Simon Report is not really definite about the future of irrigation and forests. It does not really make up its mind. Both services offer tremendous openings for bribery, e.g. in connection with contracts large and small.

(8) The Medical part of the Report is not strong

enough in its practical provisions. The important things are (1) to *ensure* the regular supply of good men from England, and (2) to ensure competent white instructors in the medical schools, above all for surgery. Indian medical professors are too apt to avoid operations with pupils present, and the whole clinical side of medical teaching becomes hopeless if Indianized. Indian-run hospitals get into terrible disorder.

(9) The section on Burma is excellent except that:  
 (a) It prejudices the whole question of Burma's future by suggesting that its next constitution is to be "a stage on the journey to more complete self-government";  
 (b) it throws out a suggestion for a redistribution of functions between the Secretaries of State which clearly looks to (and will provoke agitation for) the attaching of India to the Dominions Office; (c) it shows little or no appreciation (except for some remarks in Vol. I) of the special needs of certain areas in Burma, notably the far north and the Mergui Archipelago in the far south.

It is impossible to see the Simon Report in perspective apart from—

(1) The Viceroy's pronouncement on "Dominion status," and

(2) The new implications of "Dominion status" which result from the Report of the Conference on the Operation of Dominion Laws.

The Viceroy's announcement to the effect that "Dominion status" is the ultimate goal in India was made on or about November 1st, 1929. The Report on Dominion Legislation was only published on February 3rd, 1930, and has not yet been adopted by the Imperial Conference. India was represented at the Conference on Dominion Legislation which produced the Report, but in making his announcement the Viceroy can hardly have understood the *complete* equality with, and independence of, the United Kingdom involved

in this new development of Dominion status. If he did he would not have used the form of words which he used :

"... I am authorized, on behalf of His Majesty's Government, to state clearly that in their judgment it is implicit in the declaration of 1917 that the natural issue of India's constitutional progress, as there contemplated, is the attainment of Dominion status."

The *new* conception of "Dominion status" is certainly not implicit in the words "responsible government," yet it will be read into the Viceroy's words retrospectively. Together the two pronouncements set a canon for interpreting any constitution which may be based on the Simon Report.

In fact, however, the Report needs little interpretation in order to see whither it leads. With three almost useless safeguards, the Report would hand over the entire government of the Provincial Services in the Provinces to the local politicians. Enough power would be there transferred to make it impossible to resist demands for more. If the Report were adopted it would be possible to deny police protection to anyone, and even justice might be unprocurable without the hazard of expensive appeals. The powers which the new Provincial Governments would have would enable them to allow or conduct widespread anti-British propaganda, which it would be impossible to resist. The loyalty of the police would go, for that loyalty only depends on their present knowledge that they will be backed up impartially against evil-doers, of whatever community. It would be increasingly possible for the loyalty of some sections of the Army to be undermined (a) by the general force of universal propaganda, (b) by the constant suggestion that the British Raj was frightened and losing ground, and (c) by influence on soldiers' families. The general decay of administration

(especially the corruption and petty oppression) would lead in many places to great misery among the poorest and lowest classes and at times to widespread disorder and loss of life. The legitimization of money-lending at usurious rates of interest, the deprivation of rights of appeal against local officials who corruptly withheld irrigation water, measures to increase Brahmin tyranny in villages in South India—these or similar enactments would mark stages in the crumbling of the fabric of safeguards with which British justice has protected the poor and the oppressed in India. The new illusory safeguards would everywhere disappear. First the Governors and then the Viceroy would change into “constitutional” rulers, and it would not be possible to deny the new “Dominion status” to so seemingly powerful a “self-governing” federation. At some period or periods in the process there would be violent upheaval and war; and as the great structure sank into anarchy or Sovietism men would look back to the Simon Report, as to the Montagu and Irwin declarations, as a fate-brought action in the “Greek tragedy” by which India would then have passed, as she is now passing, to her fate. They might marvel at the acquiescence of our own time in the betrayal of a mighty trust, but they would recognize that the most active factor in the betrayal was not a man but a principle, the foolish and cruel principle miscalled “democracy” of setting up, under the forms of democracy, oligarchical government in the East.

## CHAPTER VII

### CEYLON

"The future progress, prosperity and happiness of Ceylon are more bound up with the eradication of malaria and ankylostomiasis than with politics, transport, agriculture, or any other problem. So far from the incidence of malaria decreasing it would seem to be increasing. The health and efficiency of the majority of the population are being undermined by those two diseases. Thanks to the charity of the Rockefeller Foundation some attack has been made upon ankylostomiasis, with the result that while approximately 90 per cent. of the population are still infected, the degree of infection has been considerably reduced in the treated areas. . . ."—"Ormsby Gore Report on Malaya, Ceylon and Java," 1928 (Cmd. 3235), p. 92.

"The eradication of the dangerous varieties of mosquito from Ceylon will involve a long, patient, systematic and expensive campaign. It will involve a considerable number of major drainage and water-supply works. It will involve a great deal of interference with the customary habits of the people—their wells, their minor irrigation channels, the treatment of their crops, etc. The spread of disease knows no arbitrary boundaries, and there must be no differentiation between classes of landed property and the general powers given to the anti-malarial staff."

—*Ibid.*, pp. 93-4.

"The rate of 12 per cent. which societies now charge to members is not high compared with the market rate of interest on mortgages (15 to 20 per cent.) and still less with the rates charged by moneylenders, which is openly between 18 and 30 per cent., but, where there is little security and advantage is taken of the villager's ignorance, may amount to as much as 300 to 400 per cent. in concealed interest."—*Ibid.*, p. 162.

THE traveller who exchanges the parched uplands of India for the luxuriant jungles of Ceylon may be excused for imagining at first sight that he has stepped into a different world; and to the student of government also the first impression is one of contrast. But just as the attentive traveller will find increasing points of resemblance as he proceeds, so also the student of government will find that Ceylon is essentially a back-

ward oriental country, and that as in India to apply to it the principle of "democracy" is in fact to apply that of corrupt oligarchy.

It is more necessary to insist on this sameness because of the different problems of government in Ceylon, and because of the superficial differences in the types of constitution which have been proposed for them.

At first sight the contrast between the problems of government in the two countries is complete. Ceylon has no problems comparable to those of the North-West Frontier, the fighting races or the Native States of India,<sup>1</sup> nor has the mild temper of Buddhism inflicted upon it the horror of an all-pervading and cruel caste system. The absence of these problems leads to a different perspective and order of importance among those that remain. In India the fight with disease, important though it may be, is secondary to the defence of the frontier and the preservation of public order. In Ceylon, as the quotations at the head of this chapter suggest, it is all-important. In India vast tracts maintain what is little better than self-sufficing "subsistence agriculture," whereas the maintenance and building up of the great planting industries of Ceylon, on which the prosperity of the island depends, must always engage the primary solicitude of government in that colony.

Nevertheless, the cardinal fact about both countries is that they are backward, that is, that the bulk of their populations are illiterate and have a low standard of living; and that their Western-educated classes are oriental. In both the supreme problems of government are how to protect the people from these classes and how to protect the minority communities.

Before discussing the Ceylon Commission's proposals for applying the principle of "self-government" to the

<sup>1</sup> The Sultan of the Maldives Islands is too isolated to be comparable.



colony, it may be well to summarize the conditions which the Commission found on arrival. Briefly they were confronted by the position that since the abandonment in August 1920 of the principle of representative government with its official majority (which had served admirably since 1910) and the substitution of an elected majority in the legislature, the whole system of government had gone from bad to worse. There is, in fact, no half-way house between representative and responsible government. It is in practice sometimes possible to allow a small elected majority when the Government can rely on the normal support of some group which effectively negatives the slight majority of electives, but it is not possible to abandon utterly the official majority while retaining the responsibility of the executive to the British Parliament, without divorcing power from responsibility and creating an impossible situation. Such a situation confronted the Commissioners in Ceylon.

The Commissioners found that the device of merely increasing the unofficial majority in the legislature in the hope that the absence of a party system and the clash of interests would enable the executive to obtain sufficient support, simply had not worked. The absence of party had led in effect to the elected majority combining for the single purpose of criticizing the Government. The presence of the Government as a universal scapegoat and the certainty that its critics would never have to put their words into action, led to the elected majority becoming a powerful propagandist force against the Government, and individual elected members were debarred from co-operating with the Government for fear of appearing to be mere creatures of the Governor. They were also able very materially to embarrass and handicap the Government, which hesitated to use its overriding powers when there was no real crisis or emergency. "A power of certification

is no substitute for an official majority.”<sup>1</sup> It is an invidious power, and must always be impossible to use regularly. In the circumstances the Government adopted a “conciliatory policy,” that is to say, the principle of bargains. This had a deplorable effect on the public services, which felt that they were not receiving the protection and defence against criticism which was their due ; and the elected members showed “no sign of abandoning their general position as hostile critics. On the contrary, they were encouraged to redouble their efforts, seeing, as they now did, the full extent of their power. They had only to maintain the pressure to have the administrative machine completely at their mercy.”

In those words of the Ceylon Report is contained the inherent flaw in all attempts to find a half-way house between representative and responsible government. It cannot be found because it does not exist. The responsibility of a unitary government cannot be divided, and it must rest in practice either with the British Parliament or with the local Parliament. Except on federal principles there is no other way. When a substantial unofficial majority is created in the legislature, it merely takes away from the Government the power needed to discharge its legislative responsibility to the Imperial Parliament. The case of Ceylon was particularly bad, because the unofficial majority was large. The Government could not really govern. The services were distracted by unfair criticism. The powers transferred to the electives enabled them to apply an intolerable pressure for more.

In these circumstances the Commissioners appear in effect to have adopted certain principles :

- (1) “Democratic self-government.”
- (2) Protection of the lower classes by giving them the vote.

<sup>1</sup> From “The Colonial Service,” by Sir Anton Bertram (Cambridge University Press), p. 187.

(3) The constitutional manipulation of evils so that they check each other.

(4) Safeguards in the form of reserve powers in the Governor.<sup>1</sup>

These deserve some separate examination.

(1) Comment has already been made on the first. It cannot be fair until the lower classes have educated leaders to defend their interests.

(2) Of the second principle four things must be said :

(a) Adult suffrage<sup>2</sup> cannot protect the lower classes while they remain illiterate and depressed.

(b) It must prove mischievous when they are not.

(c) It may tend to protect oppressed *majorities*, but does little or nothing for *minorities*.

(d) The education of the lower classes, through which it might become effective, remains politically in the hands of the upper classes.

These propositions are hardly susceptible of doubt, yet they nullify the whole object of the Commissioners' recommendation.

The actual working of adult suffrage is easy to foresee. Depressed villagers cannot effectively represent depressed villagers. An illiterate Kandyan, say, unable to speak English or to read or write even his own tongue, and unfamiliar with any district of Ceylon outside his wooded highlands, can only present a ridiculous or a pathetic figure in a Colombo legislature. In practice the villagers must vote, like sheep, as their landlords, priests and moneylenders direct them, and their so-called "representatives" will be members of the very classes from whom they have most to fear. With the best will in the world, their advance, limited by the financial resources of a backward country, must be slow. In actual practice the general elimination of illiteracy

<sup>1</sup> Ceylon Report, p. 22.

<sup>2</sup> As it is to be applied the scheme amounts to this, though there are minor modifications.

in Ceylon must be a matter of centuries. Meanwhile, there is the virtual certainty that with some dawning political consciousness due to a lively sense of oppression, the masses may find, not educated leaders, but demagogues, who will short-sightedly press for interference with the planting industries without reference to the conditions in Java and other competitive areas, and who, by worsening the conditions under which capital is invested in Ceylon, may hurt beyond measure just the poor people whom universal suffrage was intended to benefit. It cannot be denied that over a long period the possession of the vote may have an inspiring psychological effect on the depressed classes and a modifying action on oppression, but clearly to expect that adult suffrage will produce *real* democracy in a backward country, or indeed that it will do more than slightly limit the oligarchical principle, is a mere academic dream.

3. The Committee's third principle of checking evil by evil is not acknowledged as a principle by them, but is the only rational defence of the system of government by committees which they propose. Roughly this system is the application of the constitution of the London County Council to Ceylon, without the essential co-ordinating link of an effective "Town Clerk," and oblivious of the absence of that saving public spirit which pervades the L.C.C. More specifically it is the handing over of the affairs of Ceylon to a unicameral legislature divided by ballot into seven committees, the chairman of which will administer most of the departments of government except Justice, Finance and the control of the Civil Service, and, sitting as a Board of Ministers, will control three Officers of State, who will administer these latter departments. The legislature and the executive will thus be merged in one body mainly through committees of itself.

The most superficial acquaintance with Ceylon, or

even merely an attentive study of the Report, should suffice to indicate how such a constitution must work. There will be comparatively little legislation—not an undesirable result, perhaps—but the zest of the upper classes for jobbery, described with a fine euphemism in the Report as an “interest in administration,” will be positively welcomed. They will find the principal machinery of the constitution specially devised for encouraging it, but they will also find themselves played off one against another. Every member of the legislature will be a member of a committee, and will have an equal voice in electing its chairman. The minority representatives nominated by the Governor will have just as much influence as individual Sinhalese members, and that influence will represent a real bargaining-power. The Muslims, both Moorish and Malay, the Tamils and the Kandyans will tend to suffer, for after using half his twelve allotted nominations to secure representatives for the Europeans, burghers and depressed classes, the Governor will be unable to nominate sufficient representatives to compensate these for the electoral handicap of their territorial distribution. Nevertheless, the jobbery under the system of committees will be widely and fairly shared among the upper classes, who, after all, are the only Sinhalese qualified for Government appointments, and this sharing should make it less objectionable. There will doubtless be many appointments of indifferently qualified men, but there will not be the wholesale favouritism of members of Ministers’ families, and especially of the Prime Minister’s family, which might normally be expected under a nominally “democratic” oligarchy in a backward country, and the minority communities will always have their share. Where the system must be iniquitous, namely, in the absence of control over the corrupt practices and oppression exercised upon the helpless masses by those appointed, it is not this particular

system which will be to blame but the general underlying principle of oligarchy for backward countries.

4. The fourth principle of the Commissioners is that of trying to weld all the races and religions in Ceylon into one community. In pursuance of it they deny communal representation to the larger minorities on the ground that such representation promotes communal feeling. They observe :

“ In surveying the situation in Ceylon we have come unhesitatingly to the conclusion that communal representation is, as it were, a canker on the body-politic, eating deeper and deeper into the vital energies of the people, breeding self-interest, suspicion and animosity, poisoning the new growth of political consciousness, and effectively preventing the development of a national or corporate spirit. As we are suggesting in the following chapter, there can be no hope of binding together the diverse elements of the population in a realization of their common kinship and an acknowledgment of common obligations to the country of which they are all citizens so long as the system of communal representation, with all its disintegrating influences, remains a distinctive feature of the constitution.”<sup>1</sup>

To those who have studied this question it seems almost inconceivable that the Commission should not have seen that it is not the principle of communal representation but the principle of “self-government” which is to blame. In a country like Ceylon national feeling is artificial; communal feeling is not. When the Government abandons its trusteeship for all, it inevitably sets going a life-and-death struggle for survival among the communities which are the natural units in which the people think and feel and live. Whether oligarchy is to be inflicted on a country or not, the only natural basis for government is the natural structure of the body politic. Both the Simon Report, which advocates “self-government,” and the Hilton Young

<sup>1</sup> Ceylon Report, p. 39.

Report on East Africa, which does not, sensibly agree in allowing the inevitability of communal representation.

The two main flaws in the Commissioners' argument are : firstly, that they do not recognize that family or clan feeling in the East is infinitely stronger than national feeling or public duty ; and secondly, that their conception of national unity would involve a racial fusion which is quite impracticable as well as biologically undesirable.

5. Lastly, the Commission recommend safeguards in the form of extensive reserve and emergency powers for the Governor. Of these it need only be said that such powers are valuable in times of real crisis, such as are unlikely to occur in Ceylon, but that in the ordinary work of Government they cannot in practice be exercised, they lapse through disuse and they form a wholly illusory safeguard for minorities or depressed classes. This conception of the powers was definitely expressed by the Governor of Ceylon as follows<sup>1</sup> :

"It is clear that the Governor's additional powers are intended rather to serve the purposes of precaution and reassurance than to be used as an ordinary incident in the business of administration and legislation. The proper conception of the Governor's position under the new Constitution would seem to be that of a steady, not a meddling or thwarting, factor"—

and was endorsed by the Secretary of State. Were the Governor given these powers explicitly for active use in the exercise of a trusteeship for minorities and depressed classes, and were he furnished with a special advisory committee to assist in their exercise, they would form a very valuable safeguard. As it is, they are almost worthless.

To sum up : the constitution recommended in the

<sup>1</sup> "Correspondence regarding the Constitution of Ceylon," Cmd. 3419 (1929).

Ceylon Report is in some respects slightly less unfair to minorities and depressed classes and slightly more safeguarded from abuse than that recommended by the Simon Commission for India, but under the fair names of "democracy" and "self-government" both embody the cruel principle of oligarchy for backward countries.



## CHAPTER VIII

### SOME REACTIONS. DOMINIONS AND THE PRINCIPLE

BEFORE attempting to forecast the reactions of Dominion sentiment to this principle of "democratic" oligarchy, it may be well to refer briefly to the countries where we have refused to apply it, and to the disastrous consequences in British Guiana, where its partial application has had to be reversed.

To apply it in Palestine would clearly be tantamount to handing over the Jews and Christians to Arab domination. The British Government has refused to do this. It is not clear why a principle of government should be applicable to the East and wholly inapplicable to similar conditions of communal feeling in the Near East.

Again, in Cyprus we have rigidly insisted on retaining the principle of representative government modified slightly by the unjust principle of making the Government dependent for its majority on the support of one community, the Mohammedans. In answer to a memorial from the Greek Elected Members of the Legislative Council, the Secretary of State wrote firmly<sup>1</sup>:

"Those institutions already established in the Island which are subject in varying degrees to popular control cannot be said to have attained that reasonable measure of efficiency which should be looked for before any extension of the principle is approved."

The natural results of efficient control are impressively enumerated:

"No person who is correctly informed as to the

<sup>1</sup> Cmd. 3477 (1930), p. 16.

condition of the Island in 1878 could refuse to recognize the very great advance which it has made in only fifty years of British rule. In 1878 the population was only 180,000. At the time of the British occupation the only road in the Island was a track of some 26 miles between Nicosia and Larnaca. Under the rule of the Ottoman Empire there were no hospitals; and the protection of public health was a matter which received no attention from Government. The encouragement of agriculture and the preservation of the forests were equally neglected. No effort was made to develop the Island's mineral resources. Taxation was abusive and rates of interest were usurious. The administration of justice was defective and access to the Courts difficult.

"The Island to-day shows considerable improvement upon this state of affairs. The population has nearly doubled. There are, apart from village roads, a thousand miles of roads which can be traversed by motor. The revenue has increased from £176,000 to nearly three-quarters of a million, and the whole of this money is devoted to the public service, which was not the case under the rule of the Ottoman Empire. A railway has been built and harbours have been considerably improved. Regular post, telegraph and mail services have been instituted. The development and protection of the forests has been taken in hand on scientific lines. The growing revenue from royalties attests the attention which is being paid to the Island's mineral resources. The spread of education, which has been largely assisted by Government grants, is illustrated by the fact that there are now over 46,000 children attending the schools, whereas in 1881 there were fewer than 7,000. Increasing regard has been paid to the important subjects of agriculture and irrigation. The co-operative system has received every encouragement from Government, while credit has been made available to the farmers upon reasonable terms."<sup>1</sup>

Happy Cyprus to have escaped the politics of  
"responsible government" so long!

<sup>1</sup> Cmd. 3477 (1930), p. 19.

It may be noted that, speaking generally, the West Indian Constitutions "have been reconstituted on the basis of the equality of the official and the unofficial elements, the Governor retaining the determining vote,"<sup>1</sup> and that official control has also been retained in the new constitution of Fiji.

But it is in British Guiana that the nearest approach to a trial of the oligarchical principle has been made. It is not a modern trial, nor yet a complete one, but under the ancient and anomalous constitution through which British Guiana has been governed since the days of the Dutch occupation until recently there has been "popular" control of finance, and the appalling results may be studied in the recent British Guiana Report<sup>2</sup> and a subsequent volume of correspondence.<sup>3</sup>

There is substantial progress to record in several directions, as, for example, the provision of a reasonable drainage system and water-supply for the capital, Georgetown, but there is also a terrible record of failures, and in general an appalling picture of the stagnation and backwardness of the Colony.

After describing the origin and nature of the constitution the Report observes :

"At no time can this remarkable constitution be said to have worked satisfactorily. Throughout the nineteenth century there was constant friction between the Combined Court and the Government. The characteristics of local politics during the period are described in the following passage from a despatch written in 1855 by Lord John Russell, then Secretary of State :

"The history of the Colony since its conquest is to produce compromises between the Governor for the

<sup>1</sup> "The Colonial Service," by Sir Anton Bertram, p. 173.

<sup>2</sup> Report of the British Guiana Commission, Cmd. 2841 (1927).

<sup>3</sup> "Memorandum by the Elected Members of the Combined Court of British Guiana in reply to the Report of the British Guiana Commission, Cmd. 3047 (1928).

time being and the two legislative and partially representative bodies, by which the Governor gains the object of the moment and the two bodies make permanent encroachments on the powers of the Crown. So often as it has become a duty and a necessity on the part of the Crown to withstand the wishes of the Colonists on some important question, that of slave amelioration, for instance, or that of immigration (which may now again lead to difficulties) or the sugar duty question, the result of the encroachments of the preceding years had been felt in an assertion by the Colonists of rights, not recognized by the Crown or by law, and in a stoppage of supplies, with great loss to the Colony and injury to its agriculture and commerce.'

"The theory on which the Government carried on under these difficult conditions was defined by another Secretary of State, Lord Grey, who referred to it as acting the part of 'umpire' between the represented and unrepresented classes, with the object of protecting the latter from the 'malversations, oppressions and abuses which are notoriously incident to the exercise of supreme power by irresponsible and oligarchical bodies.'

"To this state of affairs we attribute in no small measure the stagnation of British Guiana during the greater part of the nineteenth century.

"The disadvantages of this system have not vanished now that the control of the political machine has passed to a wider and more numerous but necessarily, in a racially composite community, where the great majority of the population are too indifferent or too ignorant to exercise their political rights, to a relatively narrow and also inexperienced electorate. Indeed, under the new order the practical difficulty of working the old constitution is increased. The Government in British Guiana have never been able to govern. This situation was possible so long as the function of administration was confined to attempting to prevent misgovernment. It is not possible when the Government are expected to take a direct and active part in the development of

the country and the improvement of the condition of the people."

Space forbids a detailed examination of the general picture of British Guiana presented in these documents, but it must be studied to be believed. Neglected agriculture, neglected forests containing some of the finest timber, the state of the sugar industry (which had not then collapsed), neglected development of roads, railways, river transport and ports, education in an appalling condition of inefficiency and maladministration, disease rife, and above all the Colony unable to raise money on reasonable terms because of the principle of its constitution.—It is not an attractive picture, nor does it bespeak the approbation of common sense either for the principle of partial (i.e. financial) "self-government" operating through a series of bargains, or for the complete "self-government" of which it usually forms the first and most important instalment.

What might the Dominions be expected to make of it all? Would they endorse this disastrous principle of oligarchy because it masquerades as democracy, or would they look to the facts and decline to compromise the happiness of a great portion of mankind for a word?

One cannot tell for certain, but this much is assured: (1) that the first impulse of most of the Dominions would be, like that of the United Kingdom, to grant "generous" measures of "self-government"; (2) that the effect of Dominion action would depend on how far various principles had been irrevocably adopted in different parts of the Empire when Dominion influence began to come into play; (3) that from the first a point of view diametrically opposed to native "self-government" would be maintained and pressed by South Africa; (4) that the experience of Australia and New Zealand in administering the mandates for New Guinea and Western Samoa will have brought those two

Dominions into intimate responsible contact with some of the basic realities and problems of government in backward countries ; and (5) that all the Dominions might be expected to display qualities of common sense and of readiness to learn and profit by mistakes, by which they might have a very salutary and clarifying influence upon British colonial policy.

In any case the growth of Dominion influence on the Dependent Empire would synchronize with the practical development of the other two great principles of Imperial Government, namely, Trusteeship and Indirect Rule ; and it would be strange if their appreciation of the practical benefits of these did not colour their attitude to the conjectural benefits and demonstrable horrors of oligarchy.

What then is the practical working of the principle of trusteeship which would be presented to their minds as an alternative to "democratic" oligarchy ?

## PART III. TRUSTEESHIP IN AFRICA

### CHAPTER IX

#### THE CONTRAST WITH OLIGARCHY

"All empire is no more than power in trust."

—DRYDEN, "Absolom and Achitophel," pt. I, i. 411.

THE second of the three great principles which inspire the government of the Dependent Empire is the principle of trusteeship, and the sphere of its clearest application is Africa.

This principle of trusteeship is not only inconsistent with, but is almost the direct antithesis of, the principle of oligarchy, by which, under the guise of "democracy," a mockery of democracy is being fastened on the East. Oligarchy for the East means the handing over of the dumb, helpless, illiterate masses to the rule of those of their own upper classes who have received a veneer of Western education. Essentially it looks to the few, not to the many. Trusteeship, on the other hand, means, equally essentially, trusteeship *for all*. Again, oligarchy places the real power in the hands of those who are most "Europeanized." Trusteeship is more often concerned to secure the natural development of local traditions. How deep are the contradictions involved will appear later. Meanwhile, certain general facts about trusteeship must be defined.

In the first place, there is a deep contrast between the old principle of trusteeship which was applied in British Colonies in Africa during the nineteenth century and the new forms which the principle has assumed since Lord Lugard's formulation of it as a "dual mandate."

Secondly, the modern development of the principle of trusteeship has led to the two totally different goals of a "black" civilization in West Africa and a mainly "white" or European civilization in East Africa. It is possible, then, broadly to distinguish three great conceptions of trusteeship, namely: (1) the old ideal, (2) the new West African ideal, and (3) the new East African ideal. Finally, it may be noted that inasmuch as the last two of these include applications of the principle of indirect rule, it is not possible to mark off this third great principle of Imperial government as a thing apart. In the Imperial texture trusteeship and indirect rule are much interwoven.

The old principle of trusteeship was simple enough in theory, but incomplete in practice. According to it we sought to meet the three supreme needs of the African by giving him (a) Protection, (b) Justice, and (c) Self-respect. It was a great ideal, and no Englishman can read the story of its application in the nineteenth century and the earlier years of our own century without a shudder at the horrors which through it were suppressed, and pride in those who suppressed them. Nor does the principle stand in need of justification. A single sentence from Mr. Ormsby-Gore's Report on his visit to West Africa in 1926 thus instances in language of studied moderation the need for what was done in Nigeria :

"Benin was running with the blood of human sacrifice, and the Northern Emirates were the scene of wars, slave-raiding and slave trade on a scale and of a character which the world rightly held to be intolerable."

Each of the three objectives has involved a tremendous work. To protect the African did not mean merely to give him external peace, though that alone cost us much fighting. It meant, particularly in some of the West African colonies, the suppression of a whole



welter of tribal wars and private feuds. It meant protecting his cherished religions, customs and languages. It meant, for example, preserving his tribal and communal systems of land tenure from the blandishments of concession-hunting financiers eager for freehold. Nor was the second aim of justice easily attained. The numerous languages, the complexities of tribal law and custom, the psychological insight necessary to justice—all these things were not assimilated by Englishmen without travail under the African sun. The third aim, in some ways the most difficult of all, can perhaps best be described in the words of Prof. Egerton: "To rescue the races of Africa from the servile status that had become engrained in their blood, and to create in them that sense of individual self-respect, by which alone the traditions of slavery can be eradicated."

Nevertheless, however noble and indeed necessary this ideal was, it was incomplete and negative. It ignored the economics of colonial development, and set up no ultimate political, economic or social goal. It tacitly assumed that gradual "Europeanization" was the only conceivable goal for the African. It was the same ideal as was for long pursued in India, and in time it would have led in Africa, as in India, to the same result—the creation of a large, redundant, discontented and subversive class of Western-educated natives, clamouring for "Dominion status." Such a class of "Europeanized" Africans actually exists to-day in the coast towns of the West African colonies, and especially in Sierra Leone, but its numbers are still inconsiderable. It constitutes a problem for which the old ideal of trusteeship offered no solution.

Lord Lugard's principle of the Dual Mandate embodies all that was of lasting value in the older ideal, combines it with an honest recognition of the economic facts, and provides an intelligible goal for both East and West Africa. Briefly, the principle of the Dual Mandate

is the principle of ruling and developing tropical Africa as a dual trust—*firstly, as a trust on behalf of the inhabitants of Africa ; and secondly, as a trust on behalf of civilization, which is enormously and increasingly dependent on the products of the tropics.* To this principle are added the further principles that the objects of African education should be to fit the African for life in Africa, or in other words, to make him “ a good African rather than a bad European ” ; that what is good in African life and institutions should be preserved ; and that these institutions should, as far as possible, be encouraged to develop naturally. These principles, like the principle of trusteeship itself, are infinitely adaptable, and when applied to the different conditions of West and East Africa, they suggest two very different policies. West Africa, as the simpler, may be taken first.

## CHAPTER X

### THE DUAL MANDATE IN WEST AFRICA

"The four British Dependencies in West Africa—Nigeria, the Gold Coast, Sierra Leone and the Gambia—form a group which not only in their general character, their origin and development, are unlike any other group in the Empire, but each, while sharing in the characteristics of the group, has a very distinct individuality of its own, which has found expression alike in its political and social and in its economic development . . . their administration has been framed on the principle of developing native institutions and teaching the African to think and act for himself."

—LORD LUGARD in the British West Africa

Number of *The Times*, October 30th, 1928.

THE cardinal and governing fact about British West Africa is that these Dependencies are "black men's countries," and whether under black or white direction, must develop as "black" States. One must avoid exaggeration. Modern medical science has abolished the "white man's grave" legend, and with safeguards and reasonable self-control white administrators can reside quite comfortably in these countries for a year or two, and can even be accompanied by their wives. But except doubtfully on Cameroon Mountain and in a part of Northern Nigeria, they cannot settle and bring up children. They cannot make West Africa their home. "Black men's countries" these Dependencies have always been. "Black men's countries" they must always remain.

The question then arises whether on the one hand we should seek to develop them on European lines with a European Government and European planting industries; or whether on the other hand we should seize the opportunity to conduct a great experiment by trying whether

the African race may not be capable, with some initial help, of evolving a distinctive civilization of its own. It may not be possible, but if it is possible anywhere it can only be in these British West African Dependencies, for nowhere else in the world is there, as it were, such a clean slate offered. France and Belgium have other aims for their areas of tropical Africa, and East Africa already looks to Europe. It seems to be worth trying, and so far at least as the initial policies go, the British Government has made up its mind to try it. Accordingly the principle of the Dual Mandate is being applied in such a way that, while its dual aims of native happiness and economic development are effectively pursued, the maximum amount of control and direction is left in African hands. Every African custom and institution that is not clearly contrary to common humanity is preserved and developed, and the two guiding principles have been adopted wherever possible of indirect rule and native agriculture. The former principle, as applied to West Africa, has been described by Lord Lugard as a "policy of vesting real power and responsibility in the recognized rulers, selected by the people themselves." It will be discussed at length in a later chapter. The principle of "native agriculture" is that of excluding European planting and other companies as far as possible, and maintaining native ownership and management of the soil and crops.

Both principles, as indeed also the whole conception from which they flow, are subject to one grave fundamental difficulty, which may be put in the form of a dilemma. If we guide the African in anything the result is ours, done in our way, and not his. But if we do not guide him the result is, more often than not, just nothing at all. How can the African, having no experience of modern civilization, be expected to evolve for himself within a reasonable time the apparatus of civilization which it has taken the whole of the rest of

the world some millennia to evolve ? Yet if we evolve anything for him—religion, education, hospitals, fire brigades, town-planning, etc., etc.—the result is a European, not an African, form of civilization.

The full force of this dilemma may be made clear by a rather unpleasant illustration. It concerns the municipal government of Freetown, the capital of Sierra Leone. This we entrusted to the natives, with the result that in May 1926, after a succession of grave scandals, in which the Mayor, the Town Clerk and the City Treasurer were sentenced to terms of imprisonment with hard labour for frauds on the Corporation, a Commission of Inquiry was sent out. The subsequent report makes appalling reading—the municipal accounts and finances in chaos, a practically useless fire brigade in a large built town of peculiarly inflammable materials, and so forth. After describing the bad drainage and other disgusting particulars of the slaughter-house, the report continues :

“ There is no space for herding the cattle outside the slaughter-house before they are killed. They have to be herded inside the building, which is simply one room with no partitions. Consequently when slaughtering is taking place, the interior of the market presents a chaotic and distressing scene. Some animals are being slaughtered, others being dressed, while the remainder are looking on in a state of terror.”

There is the dilemma in a nutshell. Are there to be insanitary and barbaric slaughter-houses, or is the African never to receive even such training in municipal self-government as responsibility for a slaughter-house involves ? The Europeanized “ English-speaking ” upper classes of Freetown are as advanced as any similar class in any coast town of West Africa. Nevertheless, they remain, after all, the upper classes of a backward country—quite incapable of approaching municipal administration with the kind of jealous regard for

financial purity which in civilized countries precludes grave frauds by a Mayor, Town Clerk and City Treasurer.

This dilemma represents a very real difficulty. Nevertheless, the case of the Japanese, who have absorbed numerous Western institutions and methods without ceasing their own cultural development on their own lines, and who have developed from a very backward feudalism to modern civilization in a mere matter of decades, suggests that we ought not to be too diffident about introducing Western institutions and methods into primitive countries, and that in fact the best way of helping the African to develop an African civilization may be to show him all that we ourselves know, but to do so in a tentative and provisional way which may enable him later to reject institutions and methods which he believes, after trial, to be unsuited to his needs. This method, which may yet solve the dilemma, is in fact being followed more and more in West Africa. Both the principle of indirect rule and that of native agriculture are applied subject to immense reservations at present. For example, legislative power is reserved to the Legislative Councils, for which there is an official majority, or (in the Northern Provinces of Nigeria and the Gold Coast) to the Governor-in-Council; and the power accorded to the native Courts varies greatly. There is European plantation in the Cameroons, being a legacy of German policy; mining is of course in European hands; and "in order to enable Nigeria to meet the situation created by the establishment of oil-palm plantations and a factory industry in the Far East, the Nigerian Government has prepared a scheme under which assistance would be given to firms which wish to erect modern machinery in the palm belt." <sup>1</sup>

<sup>1</sup> "Memorandum showing the Progress and Development in the Colonial Empire and in the Machinery for dealing with Colonial Questions from November 1928," Cmd. 3268, p. 37.

This fundamental difficulty is very far from being the only one which confronts British policy in West Africa, but though many of the others may be regarded as difficulties inherent in all government in West Africa rather than as specific consequences of the Dual Mandate, they must be briefly reviewed, since they form part of the problem which the policy of the Dual Mandate and the ideal of a "black" civilization are directed to solve.

## CHAPTER XI

### THE IDEAL OF A "BLACK" CIVILIZATION MORE CLOSELY DEFINED

WHAT precisely is meant by a "black" civilization as the ultimate goal of development in West Africa? That is a question which it is impossible to answer precisely, for a "precise" answer could be given only when a "black" civilization had not only come into being, but had matured, decayed and passed away. But though a precise answer is impossible, it is quite possible to give an answer which may serve both as an inspiring ideal and as an immediate guide in policy.

The word "civilization" is one of which we know the meaning—so long as we are not asked to define it. It is a word for something which is incapable of definition because it has no definite frontiers. We speak of ancient Egyptian, Hittite, Cretan, Assyrian, Greek and Roman "civilizations," yet several of these were not only contemporaries, but exercised a profound influence on one another. In fact, modern research has exhibited Crete as a meeting-point of cultures, where in particular a great spiritual legacy passed from Egypt to Greece. In a somewhat similar strain we speak of Chinese or Indian or Byzantine or mediæval "civilization" or of that "Islamic civilization" which in the centuries immediately succeeding the Hegira swept along the southern Mediterranean littoral to found an Empire in Spain.

In modern times we are more conscious of nationality, of race and perhaps of religion as dividing mankind than of "civilizations." We hardly even speak of a

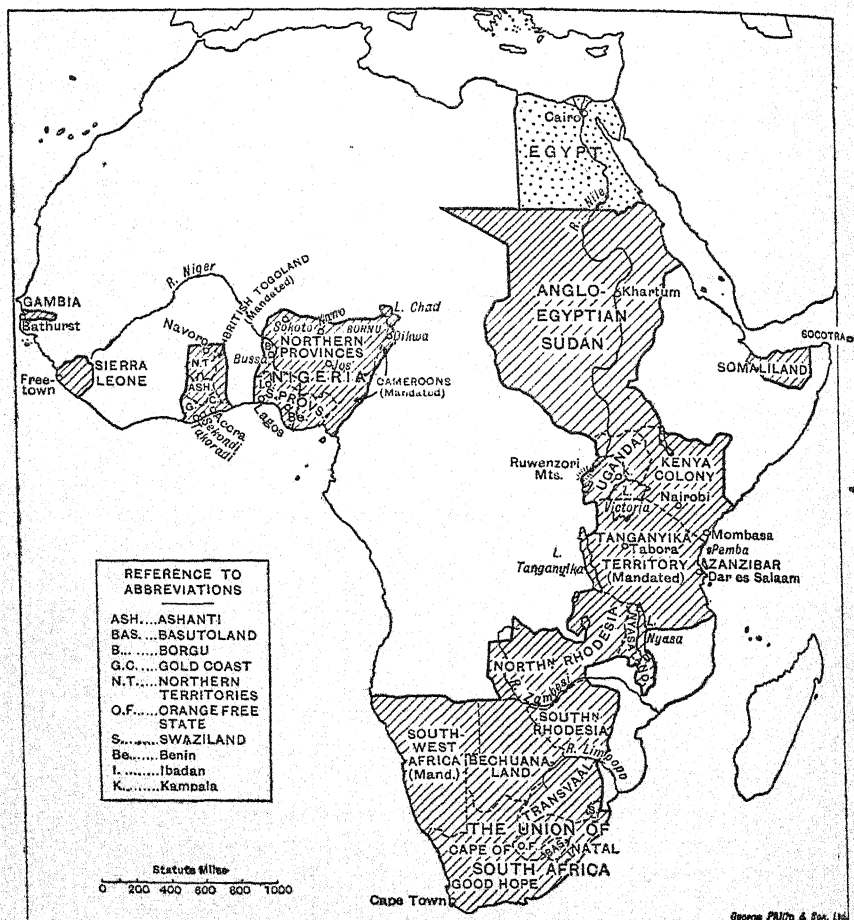


"European civilization," for Europe has come to dominate the world. There is, too, a sense in which Europe may be regarded not as a single civilization, but as containing the radiating centres of many. Travellers in French Canada, or in Spanish-speaking or Portuguese-speaking portions of the Americas, constantly dwell on the profound differences, far outweighing the international divisions in significance and importance, which these European affinities connote. To pass from Quebec to Central Canada and thence into the United States is to traverse two frontiers, an undefined cultural one between French and Anglo-Saxon Canada, and a clear-cut international one between Canada and the United States. No reflecting person can compare the two frontiers without perceiving that, for all its indefiniteness, incomparably the more significant is that separating the English-speaking, sport-loving West from the old, pre-Revolution France which still survives in Quebec. Why? Surely because this latter is not a mere political boundary, but a cleavage between civilizations, or in other words, because the cultures of England, France and Spain, which count as mere differences of nationality in the cosmopolitan atmosphere of Europe itself, expand into whole civilizations when separated from each other, translated to the vast spaces overseas, and set to the work of civilizing races and peopling continents.

In much the same way it is becoming increasingly possible to speak of "American civilization." The world still awaits a really great American poem, play, opera, statue or musical composition or a really considerable movement in religion, or a new orientation of science or philosophy; but the American type of federal government has arrested the imagination of the world, and has profoundly influenced the political development of two British Dominions. In the arts of architecture, town-planning, novel-writing, oratory,

journalism and cinematography America has achievements to her credit that are not only in the first rank, but are also distinctive and peculiar to herself. In countless other spheres, in manufactures, in philanthropy, in library organization, in medical research, in the scientific control of immigration and in innumerable other aspects of social life, the United States is now taking its place as one of the great originating and moulding forces of the world. To name a single minor instance which typifies dozens, London is this year experimenting with the system of traffic control by coloured lights which has been for years a recognized feature of the streets in many American cities. In a word, it is more than probable that the archæologists who in the remote future excavate the strata of New York, will apply their equivalent of "twentieth-century American civilization" to the present-day life of the United States.

Will they speak in any comparable sense of the civilized life which Great Britain is trying to build up in West Africa on the exiguous basis of African traditions? Only time can answer that question, and the answer will depend on many factors—on the continuance of world peace and of British freedom to persevere in the task; on the absence of any mistaken educational or political policies such as created in India an unwanted intelligentsia, Western-educated but morally oriental, and then entrusted them with far-reaching power; on a great variety of difficulties which will be mentioned in the following chapter; and last but not least, on the African himself.



AFRICA: MAP SHOWING BRITISH POSSESSIONS, EGYPT, ETC.

## CHAPTER XII

### THE DUAL MANDATE IN THE GAMBIA AND SIERRA LEONE

WHAT are the main local difficulties and problems affecting the policy of the Dual Mandate and the ideal of a "black" civilization in West Africa, and what are the main local conditions which may be expected to affect that ideal?

At first sight the physical, racial and cultural divergencies between the four West African dependencies present as formidable a barrier to a "black" civilization as they do to political unity on, say, federal lines. Yet the barrier largely disappears when it is remembered that what is being attempted is the creation, not of a nationality, but of a whole civilization, within which many nationalities may rise and fall and to which many African races may contribute.

This whole subject, however, will be conveniently treated when the more important differences have been enumerated.

What may in practice prove a very serious difficulty in its effect on these differences is the ideal which France is following throughout all the adjoining territories, of creating a Greater France in Africa. For 250 miles the boundaries of the Gambia Colony and Protectorate follow the windings of the river at a distance of ten kilometres, or a little over six miles. This impossible boundary, which dates from the agreement of 1889, cuts tribes, villages, fields, economic units, everything, in two, subjecting the respective halves to utterly dissimilar systems of administration and currency. It is not even a stable boundary, for the annual floods of the great

river alter its course by erosion and accretion. Only the criminal classes approve that boundary ! Moreover, about one-third of the ground-nut crop, the basic export of the Colony, is grown by Senegalese natives, "strange farmers" as they are called, who annually flock into the dependency, grow ground-nuts, sell them and depart to use the money in paying their French taxes. Such annual migration of population between two administrative systems is hardly calculated to foster the maintenance of distinctive standards in either.

Of the four main races in the Dependency, the Mandingo, Foula and Jollof are Mohammedans, and the Jola are Pagans. The Mandingo are clean, hard-working and honest. The Foula are semi-nomadic and largely pastoral. The Jollofs are intellectually and physically a fine race. The Jolas are a primitive race, communistic and somewhat truculent, but hard-working and thrifty. All these are, of course, linked by the river, but when their different languages, habits and proclivities are considered, and the fact that each is only separated by that Gilbertian boundary from large similar groups under French administration, with its utterly different aims and influences, the difficulties of unifying even this smallest of our West African possessions appear almost insuperable. Yet without unity in itself, to say nothing of the need for diminished contact with the "Europeanized" French administration, how can the Gambia hope to make a distinctive contribution to a "black" civilization ?

In the larger Dependencies similar perplexities are so numerous that all hope of moulding each into a unity must be abandoned, and the ideal of separate nationalities substituted for it. Even this, however, does not solve the problem of the frontier contacts, which remain and are likely to grow with the growth of trade. Many trade routes and whole provinces of British

territory are profoundly affected by French railway policy in adjoining areas. The southern portion of British Togoland, for instance, is dependent on a railway in French Togoland for transporting its cocoa; and the important trade of Dikwa links Bornu with numerous centres in French Africa. Such linkages are not even confined to the French areas. The Gambia may look forward to increasing contacts by sea with Portuguese Guinea, and that remarkable iron currency known as kissy-pennies circulates as a medium of lively if petty international trade between Sierra Leone and Liberia. Such areas as these last, however, are more likely to take some impress themselves from a West African civilization than to weaken it with European values. The difficulty of the frontier contacts varies greatly with the local conditions. Where a market is in British territory influence is likely to radiate from that territory rather than vice versa. Where the influence is likely to be bad much can be done to counteract it by means of a wise railway policy. In any case the danger really only arises in the early stages when harassed administrators and teachers are battling with savage instincts and trying to lay the first foundations of civilized life. Once our West African colonies had developed a strong, civilized life of their own, there would be nothing but value in the stimulus of local contact with different conditions.

Something has already been said of the Gambia and its races. In the three major Dependencies the contrasts are equally striking but too numerous for more detailed enumeration. Each of these larger Dependencies contains three belts—a mangrove belt on the coast, a forest belt above it, and a hilly plateau in the north. The natives in the northern belt in each colony are as the poles asunder racially and otherwise from those to the south of them, and equally removed from the English-speaking European-veneered natives

of the coast towns. The greatest difference of this kind is in Sierra Leone. The English-speaking slave-descended Creole<sup>1</sup> of the coast and his Syrian rival in trade afford almost as great a contrast with the tribes of the Protectorate as is possible between human beings within the same branch of the human family. Certainly no racial or cultural divisions in Europe present so great a contrast. On the one hand there are, for example, the "Europeanized" graduates of the University College of Fourah Bay, which is affiliated to Durham University. On the other there are the tribes dwelling in the rain-drenched forests and intermittent rice-fields of the interior.

Here, though memory still dwells happily on the realization of one of our early ideals for Sierra Leone, namely, the suppression of the horrors of the secret societies, and on the recent suppression of the last legal traces of a modified form of domestic slavery in the Protectorate, nevertheless, custom and native opinion still divide the inhabitants into two classes of free and servile. Needless to say, a primary British ideal in Sierra Leone is the modification and perhaps eventually the breaking down of this class distinction. The tribes are extremely numerous, and speak a great number of dialects. There are some 200 Paramount Chiefs, but the tribal organization is weak, and there is no single Paramount Chief over even one of the larger tribes. The chiefs preside over courts, and we entrust them with such power as can safely be given them; but the administration has to be of the direct type. Sierra Leone is a comparatively poor colony, and its supreme need is a system of roads. This, and the agricultural problems presented by its huge rainfall, its gravelly soil, the inferior quality of its palm-oil and ginger, and its complete absence of indigenous cattle, must form primary preoccupations of its government for many

<sup>1</sup> This word has this special meaning in Sierra Leone.

years; but both the Europeanized natives of the Colony of Sierra Leone, with their life resembling in many things the life of the West Indies, and the backward tribes of the interior, may ultimately make important contributions to a West African civilization.



## CHAPTER XIII

### THE DUAL MANDATE IN THE GOLD COAST

IN the Gold Coast we enter a different and far more prosperous world, though one that presents enormous differences in its three divisions. It is a commonplace to say that cocoa has been the real gold mine of the Gold Coast; yet in its minerals, forests, palm-oil, ground-nuts, kola-nuts, cotton, shea-nuts, rice, sisal, coco-nuts, limes and bananas it has other sources of wealth, some of which are very important. At any rate they offer a variety of avenues of escape from the over-concentration on cocoa which has made the Dependency far too dependent on a single commodity market, and which has produced other local problems, including that of bad native dietetics. This last problem results not only from the over-growing of cocoa at the expense of local food supplies, but also, in contrast with rice-eating Sierra Leone, from the nutritive deficiencies of yams.

The spirit of Gold Coast administration might be described as perplexed and cautious in the northern territories, conservative and traditionalist in the middle and southern region, and extremely enterprising in the two spheres of transport and education. In the primitive north the chiefs were found to have little power, and "every compound, consisting of some dozen houses, was in itself a small kingdom."<sup>1</sup> In the result administration is here more direct than elsewhere. Farther south, in the Stool<sup>2</sup> system of the former military con-

<sup>1</sup> From "British Colonial Policy in the XXth Century," by H. E. Egerton, p. 214, summarizing official reports.

<sup>2</sup> A Stool represents a state, and itself corresponds roughly to what would be a throne in Europe.

federation of the Ashantis and in the organization of the Fantis and Twis, an almost ideal instrument of indirect rule through tribal institutions lay ready to hand. The chiefs were powerful and respected, and they administered, to the general satisfaction, a remarkable system of law; yet their power was so circumscribed and checked that the spirit of the constitution might almost be described as democratic. Here was a rich store of tribal institutions and customs, and the careful circumspection and sympathetic encouragement of the Government have been well rewarded, for, though seriously weakened, especially through the financial embarrassment of Stools resulting from litigation, this tribal life has to a remarkable extent survived the detribalizing effects of economic contact with the modern world. The institution of Stool treasuries gives good grounds for hope of a general revitalization of tribal institutions. The almost universal opinion of students of government who have interested themselves in the Gold Coast is the same, and is tersely expressed by Sir Anton Bertram: "One gathers the impression that in the Gold Coast great respect is paid to tribal organizations and traditions, and that this spirit pervades the whole administration, but one is not conscious of that active, stimulating and reforming pressure by the Government which is so marked a feature of the system in Nigeria."<sup>1</sup> This conservatism, so wise where there is so much of value to conserve, should enable the Gold Coast to make later on a distinctive and very valuable contribution to a "black" West African civilization.

But it is in the two spheres of communication and education that the Gold Coast presents the most hopeful outlook of all. Railway development has been temporarily restricted to the south for a sound reason of policy. It is universally admitted that extension northwards must involve great loss unless it

<sup>1</sup> Sir Anton Bertram, "The Colonial Service," p. 88.

can be pushed up quickly so as to tap the commercial centre of Navoro, in the far north of the northern territories. The big financial effort involved in this, owing to the distance, is increased by the necessity for an expensive bridge over the Volta river. In the circumstances the Gold Coast has wisely concentrated first on developing its road system, a policy which, while not neglecting the second or economic half of the Dual Mandate, has enormously increased the progress and happiness of the natives. No one who has not studied backward countries at first hand can form any conception of what a road means in such a country as the Gold Coast. Take the economics of it. Head portage is cheap at 2s. 6d. per ton mile. Motor transport may be put at about 1s., and the roads can link with railways offering transport at 2d. per ton mile ! But the economic side is the least important. Without a road the native may live for ever in a world of trees or bush. No sound even from the outer world may ever reach his secluded valley. For him there can be no succour in famine, no refuge from oppression, no medicine in disease, no contact with other tribes or ideas ; and to the natural dangers of the forest will be added the tenfold terrors of superstition. Trees and forest undergrowth, a little cultivation of yams, fetish-worship, torrential rains, and again and yet again, the interminable bush. These are the limiting conditions of his whole life. For all he knows, the bush may just stretch on and on for ever, and he may never have even seen a wheel, while all the while steam winches and a railway and the bustle of a modern harbour may exist within less than a hundred miles of him. The road more than anything else can break down the narrowness and the circumscribed life of the African native. It links his village to the great world and its comforts, and where for centuries countless slaves and porters have toiled in misery under their headloads along the forest paths, there is substituted a

very different picture—white teeth shown broadly in the grin of a very blithe African whose father may have been ignorant of the principle of the wheel, but who bowls merrily along a “tarmet” road in his ubiquitous one-ton lorry. There are some 5,000 miles of good motorable roads in the Gold Coast, and they are added to yearly!

In the sphere of education the Gold Coast has embarked on the most ambitious and hopeful, and also by far the most dangerous, experiment which has yet been tried in West Africa. It is perhaps the most important experiment in native education in the tropics to which any nation is committed, and if wisely conducted it should prove the keystone in the arch of the British West African policy. This is the Prince of Wales College at Achimota, eight miles from Accra. It is to be ultimately a huge African University on African lines to serve all our West African Colonies, Protectorates and Mandates areas. The total cost of the buildings and equipment when complete has been estimated to amount to over half a million pounds. In addition to its functions as a university, it is to have schools giving both elementary and secondary education, and an experimental farm. It will set standards for all types of education, technical and otherwise, from kindergarten to university throughout the Dependency of the Gold Coast. It is a new thing in the history of education in West Africa, and it is being planned on such a scale that *if it succeeds* it may prove not only a spiritual asset of incalculable value to the coming civilization of West Africa, but an inspiration to the administrations of all the tropical territories of the world.

*If it succeeds!* It is essential to understand clearly the danger of this experiment, and no appointment should be made to the staff, of anyone who does not appreciate the danger. It is briefly this. When this “college” proceeds from the school level to that of

genuine higher education there will be an enormous pressure upon it to succumb to the temptations which have made Indian Universities a cruel snare to their students and a menace to Government. The college will be besieged by natives from the coast towns all clamouring for "literary" education, that is, in the humanities. But the local demands of Government service and the professions for natives with this type of education are bound to be extremely limited in a backward country. The inevitable result must be the creation of a class of useless, discontented, disaffected, miserable men, and of such are the firebrands of agitation. Those who belittle this danger on the ground that such a class has in fact been created in Freetown without serious embarrassments to the Government of Sierra Leone, ignore the fact (emphasized by Mr. Ormsby-Gore<sup>1</sup>) that while the "civilized" Africans of Sierra Leone have practically no links with the native population in the Protectorate, many of the leaders of the corresponding educated element in the coast towns of Nigeria and the Gold Coast "come from the indigenous population, and notably in Cape Coast, retain family and other connections with the local chiefs or tribes." Once versed in uncritical summaries of John Stuart Mill and Mrs. Besant, and substantially increased in numbers and uselessness, such leaders might become in time a very dangerous political force. In any case, such a type of education would be fatal to any kind of distinctive West African civilization.

It will in fact lie far more in the hands of those who conduct this college than in those of the Government to decide the real future of West Africa. By education on the Indian model they can in time destroy everything. But if they choose the more excellent way of acknowledging facts, recognizing the peculiar temptations of the upper-class natives of a backward country, and

<sup>1</sup> Ormsby-Gore, Cmd. 2744 (1926), p. 22.

concentrating on moral training, they may make of the college a spiritual force of incalculable value to the Gold Coast and to all West Africa. The primary aim ought to be, largely avoiding the coast native, to train local officials for the native administrations and local teachers for the hinterland of each Dependency, and to train them usefully. The college should aim at being a cement, not a solvent, of local loyalties. It should be a centre of local anthropological studies and a repository of records and traditions. Its bias should be scientific, agricultural and, generally speaking, practical rather than "literary"; and such literature as it does teach should savour not of Chaucer or Carlisle or Karl Marx, but of the Bible or the Koran or Mohammedan Law, or the very interesting past history of Africa. On such lines, and in time drawing its pupils from all West Africa, the college could be a very real centre of Unity in these Dependencies. In many matters the characteristics of these Dependencies are complementary, and each can learn from the others. A measure of transference of British officers between them would be a valuable development, in spite of the language difficulty, but native contacts would be still more valuable. A civilization must have a focus somewhere, and in the absence of a central native court, the natural focus of the first dawning gleams of West African cultural unity should be the coming University of West Africa.

In these remarks very little has been said about the Dual Mandate as such, with its two great principles of native happiness and economic development, or about its application through the principles of indirect rule and native agriculture. Native happiness is assumed to be implicit in the *natural* development of native life as opposed to any scheme of oligarchy under the forms of European "democracy." Should this assumption be ultimately disproved, it is always easy—fatally easy

—to “Europeanize.” The vital importance to the world of tropical development is implicit in the list of tropical products quoted in Chapter X of Book I, but in Sierra Leone and the Gold Coast the rate of such development is almost entirely bound up with the extension of the road system. This is a subject on which happily the only possible disagreement between rulers and ruled arises from the fact that the natives in their eagerness sometimes construct roads before the best route has been surveyed! Indirect rule, being one of the three great principles of Imperial Government, will be separately treated.

The problems of native agriculture are complicated in the extreme, but among them three problems assume a general importance, namely, communal tenure, shifting cultivation and the competition of plantation industries. To take the last first, some efforts of the Nigerian Government to deal with the competition of the new plantation palm-oil industry in Java have already been mentioned. In general a plantation industry has two advantages over the corresponding native one, namely, better scientific advice and more economic factory machinery for any process which may be required, such as the expressing of palm-oil. The Government of a country which has adopted the system of native agriculture must make good the first of these by actively supplying technical advice. The second can best be dealt with as Nigeria has done.

Communal tenure, with which the wasteful and disease-fostering systems of shifting cultivation are usually associated, is one of the supreme problems of Africa, and like many others it has its roots in religion, land being in some way sacred to or vested in the tribal deities. We can see the primitive form of belief very clearly reflected in the position of the Tindanas, or priests of the Earth God, in the Northern territories of the Gold Coast, who “act roughly in the position of

trustees for tribal lands which are owned communally by the tribe.”<sup>1</sup> Almost throughout Africa the original native systems of land tenure have been communal. This has been the case not only among the hunting and pastoral tribes, but to a large extent among the agricultural tribes also, who have mostly retained a communal basis of social organization. Where they have not done so the nature of the crop has usually been the determining factor. In Uganda, for example, the banana, which can be cultivated continuously in one spot without rotation, has produced a regular system of individual land tenure; and there are signs that cocoa may have the same effect in the Gold Coast; but broadly speaking, and especially in West Africa, communal tenure has been the rule.

In East Africa, for reasons which will be discussed later, the general British aim is to substitute individual for this communal tenure of land, a policy consonant with the “Europeanization” of extensive areas; but in West Africa the policy is equally clearly to be guided entirely by native wishes, and to preserve the communal tenure as long as its preservation is demanded. In pursuance of this policy the West African Governments have to resist the blandishments of freehold concession-seeking financiers, and approach even what seem *prima facie* to be obviously desirable objects in a tentative, experimental spirit.

There can be no doubt that this attitude is an inevitable corollary of the general policy which is being pursued in West Africa, and that in the long run it must make for African goodwill. It may be surmised that communal tenure of land will never entirely disappear, and that its retention in large areas may be a characteristic of any “black” civilization which may evolve in West Africa. English individualism in land tenure is being modified by the trusteeship of forest

<sup>1</sup> Cmd. 2744 (1926), p. 138.



areas, nature reserves, beauty spots, and buildings as well as roads "for the nation." It would be interesting if a West African civilization, modified in time by innumerable concessions to private interest, were to approach at last by the opposite process, to a not dissimilar position. It is possible, in view of the importance of forestry in West Africa, that the African custom may prove to have in it some very valuable elements of convenience.

Before attempting to summarize the results and possibilities of West African policy as a whole, some remarks must next be made on the special problems of Nigeria, although that country could more easily be treated entirely in connection with the third great Imperial principle of Indirect Rule.

## CHAPTER XIV

### THE DUAL MANDATE IN NIGERIA. FUTURE OF THE NEGRO RACE. THE CALL OF WEST AFRICA TO THE DOMINIONS

NIGERIA is *par excellence* the home of the Dual Mandate. Here was its birth, and here, under the fostering hand of Lord (then Sir Frederick) Lugard, it was first tested and developed, until its success had elevated it into one of the cardinal principles of Colonial Government. Here too this principle of double trusteeship, for native happiness and economic development, was first implemented through a new and distinctive form of that other principle, Indirect Rule. Here again its connection with the principle of native as opposed to plantation agriculture was tentatively established. And it is still here that it is most active as a formative and regulative principle of government, suggesting, dictating and moulding policies, and influencing the whole atmosphere of administration in a thousand subtle ways. The student of Empire who visits the British West African Dependencies successively will find this principle of doubtful or merely academic interest in the Gambia. In Sierra Leone and the Northern Territories of the Gold Coast he will find its applicability severely limited by the practical conditions of administration. To the south, in the Colony and Ashanti and in the Mandated area of Togoland, he will find it an important principle in the determination of major policy ; but the intense conservatism which is necessarily dictated by the supreme need for the protection of native traditions under conditions of economic revolution, limits its

practical effect as an active, initiating factor in government. In Nigeria and the Cameroons the principle becomes, as it were, alive. It is easily the most important general factor in almost every major phase, and in many minor phases, of legislation and administration. Its development through a form of indirect rule may be considered later in connection with that general principle, but the main prevailing conditions of its application may be sketched here, and indicate the importance of the country and the administrative system which it has inspired.

In our Nigerian Empire, for no other designation is worthy of this immense agglomeration of kingdoms, we have the third most populous unit of the British Empire. India comes first with some 320 millions<sup>1</sup>; Great Britain comes second with some 45 millions; Nigeria comes third with over 20 millions. The population of Nigeria roughly equals the total white populations of all the self-governing Dominions put together; and its area is equal to one-third the size of British India. It extends over eleven degrees of longitude and ten of latitude. It stretches from the mangrove swamps of the great African bight, through a succession of climates, to the Sahara in the north. The extraordinary complexities of this Empire and the difficulties of linking it up with the development of the other West African Dependencies, may be illustrated by a single fact. In Northern Nigeria alone there are over 230 different languages, and in the far smaller area of Southern Nigeria there are as many more. Between the negro peoples of the south, the negro or negroid Hausa peoples north of them and the semitic Fulani rulers of the north and north-west, there are gulfs fixed that may well take centuries to bridge.

The complexities of the south may become easier to realize if we describe it as a huge ethnological museum.

<sup>1</sup> Allowing for natural increase since the last census report, in 1921.

Since before the dawn of any history of which records remain, new races have poured into Africa from the north, and have founded kingdom after kingdom and Empire after Empire in Northern Africa. The beaten remnants of all these races when fleeing south have ever found their flight barred by the forests and by the southern coast, and the greatest number of them have tended to collect in Southern Nigeria. They have carried with them their tribal gods, their languages and their folklore; and the diligent student of their customs and beliefs may disentangle countless traces of the unrecorded history of Africa, countless pathetic memories of long-lost greatness. What significance, for example, may we not see in the ten great cities of Yorubaland in the south-west? One of them has nearly a quarter of a million inhabitants and nine others have over 40,000 each; yet the Yorubas are first and foremost a farming people! Strong though the attraction may be of the worship and ceremonial over which their priest kings preside, nothing short of centuries of persecution by more warlike peoples could have driven such a nation of husbandmen to dwell in cities. East of the Niger, in spite of the similar climate, one is among peoples utterly different from those of Yorubaland. Here formerly every village warred with its neighbours for disputed land, and some of the consequent problems of administration to-day among the Ibos, Ibibios and Aros suggest the intricate nightmares of a chess enthusiast!

The special local problems and difficulties of the British Cameroons, which are administered with Nigeria, do not raise any general questions of principle except in relation to the German legacy of plantation industry. The annual reports on the Cameroons to the Permanent Mandates Commission of the League of Nations breathe an enthusiasm for the principles of the Dual Mandate which could hardly be equalled in Nigeria itself, where

incidentally the Dual Mandate evokes, besides enthusiasm, a strong under-current of criticism.

Northern Nigeria, as the *locus classicus* of indirect rule under the Dual Mandate, will be dealt with later. It must here suffice to point out that under it the Fulani Emirates, taken collectively and in conjunction with their old rival Bornu, have become one of the important Mohammedan powers of the world.

Innumerable local and special problems of West Africa have been ignored in this brief description of the main or typical facts. Little or nothing has been said, for example, of such problems as those of disease in men and cattle, including the difficulties of isolating lepers in Northern Togoland, the wonderful success of the campaign against rinderpest in Northern Nigeria; of the problems arising, e.g. in hospitals, from African suspicions of other African races, or that of combating the tsetse-fly so as to make possible the introduction of cattle into Sierra Leone, Ashanti and Southern Nigeria; the difficulties of developing Mohammedan law in the Fulani Emirates so as to make it applicable to modern conditions; of the problem of introducing the plough and the hoe throughout West Africa; of the controversial topic of the drink traffic, etc., etc. Such matters are of urgent local importance in West Africa, but constitutionally they are secondary. They will not determine the supreme issue which faces West Africa, the success or failure of the great policy.

Is it a dream, this vision of the "black" civilization in West Africa? Or is it one of the great ideals of the world, an ideal clearly calculated to ennoble beyond all telling one of the principal divisions of mankind? The answer depends, as already said, on many factors. Can we preserve the native institutions of West Africa, develop them so that they go on from strength to strength, and endow them with a capacity to adapt themselves to the modern world with its perpetual flux

of new developments ? Are the divergences too great ever to be resolved in a common unity ? Is the African race itself capable of any really great constructive effort ?

It may be said at once that the results of the war-time relaxation of supervision in Northern Nigeria were not encouraging. The old, corrupt ways quickly returned. It must be remembered, however, that the system was being worked by an old generation of rulers, and that rulers who have been specially educated may behave differently. The difficulty of West African unity should be boldly faced by the establishment of some kind of joint councils or conferences, attendance at which would bring about inter-colonial visits by native rulers. It would be well worth considering whether a systematic tour through the British West African possessions should not be arranged for every prospective Emir or Paramount Chief in West Africa. A feeling of unity should be promoted in other ways also, and notably in the teaching of history. West Africa has a great common history, not only in the story of British effort from the Elizabethan Age when Drake and Hawkins visited these Colonies, and the charter granted by Charles II in 1662 to the "Company of Royal Adventurers of England Trading to Africa," down to the Ashanti Wars and the Great War, but in the story of its own great Empires, such as those of Melle and Songhay, and of the great part which it has played in the history of the world of Islam.

We have embarked with our eyes open upon this policy of an African civilization in West Africa. We have known from the first that it would mean comparatively slow cultural development. We have been well aware of its extraordinary difficulty and complexity. We have known that it would lead to many disappointments, for we have anticipated that the African would make mistakes, and he has certainly made

them. It has meant a policy of self-effacement by officials that has brought many heart-burnings and it has continually involved us in perplexing dilemmas and in misunderstandings. Has it all been worth while? Is it worth our while to go on with it? Surely the answer is to be found in the enthusiasm of the men who are working the system and working for the ideal.

Perhaps the most serious doubt concerns the African himself. Are the African races capable, if given a fair chance, of evolving a civilization of their own? The teaching profession is unanimous that education can often work an extraordinary transformation in some Africans in a single generation, and that the African races are capable of throwing up from time to time individuals of very great promise. It is a suggestive fact that the civilized world to-day dances to the rhythms and melodies in association with which, in spite of slavery and poverty, the African races have preserved in an alien continent some traditions of their past. It is a still more suggestive fact that in Bathurst, the capital of the Gambia, to-day one may hear the town band rendering to the delight of the townsfolk American syncopated music, which has thus returned to its spiritual home in Africa. If one takes up at random almost any of the better native newspapers of our Colonies in West Africa, the chances are that one will find space devoted to the languages, religions, tribal customs, songs, folklore, handicrafts and such other links with the African past as have been rescued from oblivion by the anthropologists. If one looks, for example, at the leather embroidery of the Hausa people of Northern Nigeria, or reads Sir Ofori Atta's recent book on "Akan Laws and Customs," one cannot but admit that there are distinctive arts and traditions in West Africa, which it is possible that the African may mould into a civilization such as may yet make a distinctive contribution to the thought and progress of humanity.

Certain it is that if the attempt is abandoned in West Africa it cannot be renewed elsewhere, and then the negroes, alone among the great divisions of the human family, will have been debarred from prosecuting, in any sufficiently considerable section of the globe, the aim of distinctive natural self-development. Such an abandonment must be deplored for many reasons, but for one reason above all others. It would diminish the self-respect of the African. If there is one thing more than another that strikes teachers about certain races, it is their tendency to develop inferiority complexes, and the African is no exception. If the African learns to hold his head high in West Africa and to build up there institutions and a culture that shall extort the respect of the world, he will be thereby provided in other lands with the greatest of all incentives to progress—self-respect.

We may foresee only "in a glass darkly" the probable development of West Africa. A "black" civilization may assume forms and bequeath ideas and examples to the world, which we cannot now even vaguely imagine, or the experiment may fail. But if it fails that failure will only mean the "Europeanization" of West Africa, the spiritual subjection of yet another area to Europe. But if it succeeds it may not inconceivably confer upon the world some rich reward. The African is peculiarly tenacious of custom and memory. The records of the civilization of antiquity were in great measure preserved to modern times by the Arabian and Mohammedan civilization of the ninth and tenth centuries. It is at least a suggestive fancy that civilization, which is so widely and so thoughtlessly neglecting or repudiating Christianity, may yet in subsequent ages rediscover and relearn its abandoned faith from negro lips. As regards the more immediate future, it is well to reflect that nations as well as individuals are more easily and firmly united by great ideals than by common interests.



We need Dominion help in West Africa, and could the Dominions, with all their generous impulses and noble enthusiasms, but realize to what manner of project this old country has set its hand in West Africa, we should not cry for long or in vain : " Come over and help us."

## CHAPTER XV

### THE CONTRAST OF EAST AND WEST AFRICA

"For it appears to us that the problem of devising some form of Imperial control confined to broad issues of policy and commanding the respect and confidence of the local communities, instead of their distrust and opposition, is one for which a solution is needed not only in Eastern and Central Africa, but for the proper development of other non-self-governing Dependencies . . . whatever action is taken in matters affecting native interests and the relations between natives and non-natives has a significance beyond the particular subject or the particular country immediately affected and will have its reactions over the whole field of policy and throughout all the territories of Africa. The contact between the white and black races in Africa constitutes one of the great problems of the twentieth century. It is a problem the solution of which demands a consistent policy carefully thought out, rather than emergency action designed to meet particular difficulties only. It is not safe to allow policy in Kenya to be framed regardless of what is being done in Tanganyika and Uganda. It should be framed for Eastern Africa as a whole. But more than this, policy for Eastern Africa should be framed with regard to experience and policy in all other territories of Africa. South Africa and Eastern Africa have closely connected interests. They can learn much from each other, and do much to help each other, while this inter-connection of interests extends even beyond the limits of the British Empire to all other European Powers who are responsible for the administration of African territories."—"Hilton Young Report," pp. 8-9.

THE fancy of some imaginative poet might appropriately picture the Ruwenzori or Mountains of the Moon as the abode of an eternally contemplative spirit, for such a spirit would have chosen to look down from those snow-capped summits on the most significant contrast in all Africa. It is the contrast of East and West, a physical contrast between the countries concerned, from which flow a thousand differences of the spirit and a very sharp contrast in the ideals and aims of government.

The physical contrast is sufficiently striking. Our imagined spirit would look out westwards towards the dark forests and jungly bush of the Belgian Congo, but below the Ruwenzori to the east would lie "green and cultivated slopes," and a good motorable road through prosperous Uganda to Kampala on its seven hills; and beyond that lie the great inland seas of Africa, and what Sir Alan Cobham has described as "the greatest undeveloped land mass in the world, obviously rich in natural resources."

And should the spirit extend his thoughts to the general contrast between the two Africas as Nature and man have moulded them, he might shape in imagination a more striking contrast still, yet without departing from reality. West of a line drawn through the crater lakes under the shadow of the Ruwenzori are, besides mountains and forests, pigmies, changeless deserts, and the Africa of Herodotus. East of it are cotton fields, coffee and bananas and other crops, extending roads and railways, air services, in a single word "progress." Steamers, of course, ply on the Congo, but their business is not to be compared with that of the railway and lacustrine services of East Africa. British West Africa is divided up into four groups, each of which consists of a comparatively old Colony together with areas into which British influence only gradually and more recently penetrated, supported, step by step, by an expanding revenue from trade. British East Africa is the reverse of all this. It is a vast extent of continuous British Colonial, Protected or Mandated territory, over almost the whole of which British authority was established within the span of a lifetime. West Africa is thickly, East Africa thinly, populated. The native races are different, and those of West Africa have more generally retained their tribal organizations than those of the East. The climate, soil and crops are different, as are also the problems of disease, which are more

difficult in the East.<sup>1</sup> Nor in the East is there found any such multiplicity of languages as exists in the West. In Africa the world rôles of East and West are interchanged, for here the West is largely static, while the East is progressive. West Africa is the Africa of the story books. East Africa is an undeveloped country of incalculable promise. Why? What is the root cause of the difference?

The root cause is that there are in East Africa great highland areas suitable for white settlement, such as have no real counterpart in the West. These have been settled by the white race and from them there issues into all East Africa a continuous stream of European influence. Other differences are important in special spheres. This one is fundamental to all. It has, moreover, two consequences of extraordinary importance: the first is that it immensely complicates and accentuates the race problem, perhaps the biggest problem in Africa; the second is that it precludes for ever the possibility of a "black" civilization in East Africa. For good or ill, East African government has abandoned that course, and has embarked upon a different one under the flag of a different ideal. The Dual Mandate for native happiness and economic development is kept just as steadily in view, but the ultimate and definitive ideal is not to help the African to build up a distinctively African civilization, but to help white and black and immigrant Indian to build up the best and most progressive joint civilization that is attainable.

These two consequences in turn present an extraordinarily difficult problem of co-ordination and control. As the quotation at the head of this chapter suggests, such issues as those raised by the clash of races in East Africa and by the ideal of a joint civilization cannot

<sup>1</sup> Sleeping sickness, for example, is comparatively unknown in West Africa.

be solved locally in each territory without repercussions elsewhere. They must be co-ordinated, and this not merely on some haphazard, opportunist principle of confining common policy to the greatest common measure of agreement, for that way lie deep inconsistencies of local policy with consequent probabilities of indignation and unrest. They must be co-ordinated and developed, at least throughout the major portion of East Africa, upon definite principles by a competent authority with local knowledge. The nature of this authority and the conflicting ideals and theories between which its policy will have to choose must next be considered.

## CHAPTER XVI

### THE RACE PROBLEM IN EAST AFRICA. THE SOUTH AFRICAN ANALOGY

"No one can understand the great experiment in racial and cultural contacts which is being worked out in South Africa, who does not see, and sympathize with, both sides. The white race is fighting for the maintenance of its own culture and institutions and for the protection of its standards of life. But it is contending for more than this. It is the guardian of values that are essential to the welfare of the black race as well as to its own. The native will be in no way advantaged if the standards of civilization are lowered. A loss of efficiency will bring him no benefit. It is not for his ultimate good that government should become less competent, that order should be less effectively maintained, or that there should be a drag on the wheels of progress. It is in his interest as well as that of the dominant race that the conditions should be preserved which make his own progress possible."

—From "White and Black in Africa," by J. H. OLDHAM, pp. 19-20.

"Mission work on an extensive scale has not lasted long enough in Kenya to have had much influence on tribal life as distinct from individual lives. In Nyasaland, however, one can study the results of fifty years of mission work among tribes of the same race, and at the same stage of civilization, as in Kenya. . . . Many of those baptized in infancy do not join the Church when they grow up. Nevertheless, in some tribes and sections of tribes, the whole community regards itself as Christian. All the younger generation has been taught in mission schools. Everybody believes what the missionaries teach, the old gods and their worship are disappearing or quite gone, many superstitions, especially belief in spirits and demons, are forgotten, and there is general recognition of a new moral standard. Old people are often so ashamed of their past as to deny that such savage customs as burying wives or slaves alive with their master ever existed."

—From "Kenya," by NORMAN LEYS, 2nd edn., p. 233.

"Christians of the second generation in Africa are always restive under any authority, civil or ecclesiastic, which they have no share in controlling."—*Ibid.*, p. 238.

THE problem which arises whenever two or more races inhabit a single territory is one of the oldest problems of mankind. It is almost invariably accompanied by

a clash of creeds or cultures, and in one form or another it has faced every considerable Empire that has arisen in the world. In the nature of things there can only be five ways of dealing with it, namely : (1) continued clash, (2) extermination, (3) territorial segregation, (4) assimilation, and (5) a caste system.

(1) Continued clash is probably the hardest to justify on any ground except when an external authority is anxious to keep both parties and the territory itself weak. It is so obviously contrary to British instincts, and to the whole tenor of British administration the world over, that it is unnecessary to discuss it in connection with East Africa, and it is only mentioned for the sake of completeness.

(2) In spite of Biblical (Old Testament) authority the same remark obviously applies to any form of deliberate or conscious extermination. In British policy that is simply unthinkable. But indirect and unintentional extermination is not only possible, but is quite a common result of heedless or unregulated contact between a highly civilized and a very backward race. Until quite recently gradual extermination of this kind was assumed to be the inevitable lot of the dwindling Red Indians in America, of the Australian aborigines, and even of the Esquimaux through tuberculosis. The present writer has walked through a Red Indian village in Quebec in which a distressingly high percentage of those he met seemed to be victims of this scourge. (He was informed, however, that it had made far less headway among the Plains Indians farther west.) This general phenomenon is not always due to disease, however. Competent scientific observers have reported that one of the real dangers confronting some primitive races in the Pacific is—sheer boredom. These peoples had evolved as societies adapted to perpetual war and needing its stimulus, and civilization has given them no suitable alternative. Sport, of course,

suggests itself, but needs organizers, and is difficult to introduce among those who need it most. The whole subject is of importance in East Africa in connection with the change, which some would hasten unduly, from the nomad pastoral life to tillage. It is doubtful if the Masai would ever till the soil ; and in Tanganyika, the Kenya deserts, Somaliland and some of the Provinces of the Sudan there are many nomad tribes for whom compulsory tillage, unless introduced very gradually indeed, would probably in practice mean gradual extermination.

(3) Territorial segregation takes many forms, but the essential idea is always the same, by emigration or redistribution to secure homogeneous areas each inhabited as far as possible by people of one race. It is an obvious remedy for the clash of races. It is also one of the oldest. It was the deliberate policy of the Ancient Babylonian and Assyrian Empires, which effected wholesale migrations of population. It is the principle of all Ghettos, native reserves and Mason-Dixie lines. It reappears in the policy of a White Australia, and it is a very important element in the new native policy which is being evolved in South Africa.

It certainly has certain great advantages. It prevents or minimizes detribalization, and if there is one conclusion more than another on which students of native affairs in Africa are approaching unanimity, it is the deplorable results which follow when the restrictions and sanctions of tribal custom are withdrawn without anything being put in their place. Segregation at least checks detribalization for a time, and during that time there is a chance for mission schools, and other influences, to try and replace the lost ethical standards with a new code. Segregation makes, too, for *natural* development, for preserving and reforming African institutions instead of abolishing them, for building the new Africa on an African basis. Again, it does un-



doubtedly and naturally tend to decrease the occasions of racial strife. Finally, it has the useful advantage, for an administrative principle, of infinite adaptability to local conditions.

The drawbacks to segregation are, however, overwhelming. Firstly, it repudiates entirely the "contact" theory of African advancement, the theory that, in the words of General Smuts, "the best way to civilize a native is to give him decent, white employment." Now this theory may have been overstated by Kenya settlers and others. There is often plenty to criticize in the condition of "squatter" natives on South African farms, and the habit of African labour of travelling long distances in search of employment decreases the advantages of temporary contact. Nevertheless, there is a large amount of plain common sense in the theory. The African can and does learn an enormous amount about good farming and about elementary sanitation and other matters of health, through European employment. Yet the whole policy of segregation is directed to diminishing such contacts and to partitioning off the native and non-native areas.

Secondly, such partitioning is contrary to the whole tendency of the age. It is not merely that the partitions must interfere with the natural expansion of population and with the mobility of labour, but that in an age of standardization, co-operative marketing and large economic units, they make for small units and local peculiarities. Danish eggs, Canadian wheat and fruit, and Kenya coffee are typical instances of the success which waits on substantial unity and standardization in the modern world. A policy which runs directly counter to this tendency must prove a serious economic handicap to countries that adopt it. In the case of segregation there is the further difficulty that it promotes inconsistent industrial developments. That way lies chaos.

Thirdly, effective segregation must always be much more difficult where there are three or more races. The intermingling is certain to be too extensive and involved. In part of East Africa, in addition to the immigrant white and the native blacks, there are considerable numbers of Indians (who outnumber the Europeans in Kenya) and coast Arabs. The Indians go almost everywhere, engaging in petty trade with the blacks, and their influence must invalidate much of the argument for segregation in East Africa.

Finally, permanent segregation is fundamentally inconsistent with the general policy of a "white-directed" civilization in East Africa. It may have its uses as a temporary palliative against the effects of rapid detribalization in, for example, new mining areas, or areas newly opened up by road or railway, but the policy outlined in the Hilton Young Report, of progressive segregation as a general basis for the fostering of native local government with a view to the building up of native advisory councils intended to balance the European-run Legislative Councils, is not only to run counter to the implications and plain facts of European enterprise in East Africa, but is to set up as an ideal of government a disastrous dualism. It is to range races and interests against one another in wholly unnecessary discord. It is to hamper every effort for harmonious development and progress in East Africa. Who would invest money or develop a country with two rival legislatures in perpetual rivalry and struggle against each other? Every railway extension, tariff or other economic development must run the gauntlet of both legislatures and may expect shortsighted compromises.

(4) But if segregation is ruled out and the different races are to mingle they can only do so on one of two bases—assimilation or caste. Assimilation is not without certain theoretical attractions. It is superficially

more Christian, and easier to defend against ignorant criticism. Moreover, it is at least arguable that only by an admixture of black blood can the white race permanently endure the tropics. Assimilation as a practical ideal is inherent in the Ceylon Report. Nevertheless, though some students may hesitate, the experience of mankind has been that racial mongrels commonly reproduce the faults rather than the virtues of both races. In any case the strong feelings of the English race on this subject preclude assimilation as an avowed policy in East Africa.

(5) There remains the caste system with its transparent unfairness, its obvious dangers of unfair economic exploitation, and of the creation, say, from the backward nomad tribes of East Africa of a very pitiable Helot class—and its equally transparent common sense. You cannot have in the same country a rich, educated, enterprising race such as is exemplified in the white settlers of Kenya; an alert but spineless people like the Indians of Kenya; and a huge majority of a race for the most part but recently won from savagery, without a caste system. The thing is inevitable, and wise government will not ignore the inevitable, but will seek rather to recognize it and to mitigate its harsher features. Fortunately, these are obvious in a caste system.

These five principles exhaust the possible ways of treating the race problem, and East Africa, in common with all countries containing more than one race, must choose between them. It is not difficult to foresee the result of the choice. Perpetual strife, deliberate extermination and assimilation are precluded by their repugnance to British ways, and territorial segregation by its inapplicability to the actual conditions in East Africa. There remains the caste system; and whatever anyone may say or imagine or wish, the future of East Africa will be based on a caste system. The three

main divisions of the system will be respectively the European, the Indian and the Black, but there will be many sub-castes. For example, the partially semitic tribes such as the Masai will tend to keep apart from the main Bantu stock, and the coast Arabs will form a kind of sub-caste by themselves.

But, if Britain is herself inaugurating a caste regime in East Africa, it may be asked : (1) How can she criticize the same thing in India ? and (2) Is not the East African development a proof of the wisdom of the East in acknowledging and regulating caste ?

The answer to the second question is undoubtedly "yes." Recognition of the inevitable facts of caste in relation to marriage is common sense. But between the Indian system and the coming East African system lies the barrier of religion. Indian caste, with all its faults, is a religious thing, stereotyped by religion. In East Africa, on the other hand, there will always be the moderating influence of widespread and spreading Christianity. This will tend to prevent an occupational caste system, or a caste system imposing any other serious economic disabilities, from arising<sup>1</sup> and should also tend to equalize the dignity and status of the castes. So modified a caste system is really a form of segregation. It is in fact social as opposed to territorial segregation.

A caste system may solve the social problem of racial contact in East Africa, but the political problem is another matter. It is not a mere matter of devising a constitution for a country containing several races. That by itself would be no easy or simple task, but its difficulty is increased tenfold by other factors. As the quotations at the head of this chapter suggest, deep cultural cleavages form the background of the race

<sup>1</sup> The "white reserve" in the Kenya highlands may be regarded in certain respects as balanced by the prohibition of white purchases of land in native reserves.

problem ; the results of mission work are a vital element in the political problem ; and that problem is still further complicated by South African influence and by the dependence of black progress on the general maintenance of white standards in civilization and government. Even then, as will be seen, the full complexity and difficulty of the problem has not been faced. It only begins to be faced when the white settlers' definite demand is considered, for a " White " self-governing Dominion in East Africa.

## CHAPTER XVII

### THE SETTLERS' CLAIM FOR A WHITE SELF-GOVERNING DOMINION IN EAST AFRICA

"In considering the general course to be followed it appears to us that there are two dominant considerations. First, it is possible that African native society may never become adapted to representative institutions in the form in which they have developed in the British constitution, nor may it be possible to apply representative parliamentary institutions, which are founded on the basis of a single homogeneous community, to States containing European and native communities side by side. Secondly, it is certain that even if such institutions may ultimately be adapted to African conditions, the natives require a long period of preparation and experience before they can be qualified to take their place in them."—"Hilton Young Report," p. 79.

"The British Government must retain responsibility both for the advancement of native interests and for holding the scales of justice even between the various racial communities; and if our view is accepted that, in order to discharge these responsibilities, the ultimate authority must be retained in the hands of the Imperial Government, questions relating to the composition of the electorate are no longer charged with the same far-reaching significance. For in that case another, and in our view far stronger, bulwark is provided for the maintenance of British rule than is furnished by any safeguards that can be devised for maintaining the British character of a local electorate. And, on the other hand, the question, so far as the Indians are concerned, is no longer one of securing an adequate share in a local electorate which is the ultimate and sole repository of power, but merely one of being sufficiently represented to be able to make their views known and to contribute their experience to the Government of a territory in which the final decisions in racial issues are reserved to the Imperial Government."—*Ibid.*, p. 207.

OF all the problems to which the political genius of the Anglo-Saxon race has addressed itself, that of the future of East Africa is surely the most difficult because it is the most obscure. The problem of India is as complex, but there the major difficulties, such as the

North-Western menace, the conflict between Hindoo and Mohammedan, and the plight of the Depressed Classes, are clear-cut and insistent. In East Africa almost everything is obscure or tentative and the significance of even the most obvious things is uncertain. East African civilization is a civilization in embryo and its real politics are yet unborn.

The uncertainties and unknown factors are baffling, yet is there one way by which it is possible to tread a secure and certain path, though its ambit be limited, through the political perplexities of East Africa. It is to look steadily to the possible repositories of power under any given system and consider facts, policies, aims and opinions in relation thereto. It appears at once that there are six possible repositories and six only, namely: (1) the white settlers, (2) the Indians, (3) the blacks, (4) a balance of these three through communal representation in a representative legislature, (5) the Imperial Government, and (6) the Imperial Government in association with the Dominions.

Of these possible repositories, the white settlers have the most obvious, and perhaps ultimately, the best claim; but a consideration of it reveals some of the difficulties, complications and at least temporary uncertainties. An examination of it must precede any general conclusion regarding the future of East Africa.

Of all the forces in East Africa, by far the most important is the dynamic energy and "drive" of the settlers. They are the principal force making for European civilization, and it would not be easy to overestimate the importance of their influence. "The impact of Western civilization," states the Report of the East Africa Commission of 1925—

"upon a people who, by themselves, have never evolved a written language, and whose methods of production, whose skill in the arts, and whose social

customs are for the most part still primitive, has already been tremendous." <sup>1</sup>

And again :

"During our tour of East Africa we were frequently told by Europeans, officials and unofficials alike, that the African native is a 'child.' Without questioning the truth of such a generalization, it at any rate suggests that the position of the European race ruling in Africa is that of a guardian to a ward, and that our duty is to protect the interests of someone less capable of safeguarding his or her own interests, and to educate a less developed and less efficiently equipped people to become better equipped and more efficient. It is difficult to realize without seeing Africa what a tremendous impact is involved in the juxtaposition of white civilization, with its command over material force, and its comparatively high and diversified social system, on the primitive people of Eastern Africa. The African native is confronted with a whole range of facts entirely beyond his present comprehension, and he finds himself caught in a maelstrom of economic and cultural progress which in the majority of cases baffles him completely."

Even this is but a partial statement of the truth. Were the British Government to withdraw, there can be no question what would happen. The white settlers of Kenya would instantaneously assume complete control of Kenya, and within a very short time they would have obtained the complete hegemony of East Africa. "White mates black within a very few moves" in Africa, and under "natural" conditions this result would be produced at once. In fact, the only possible check would come from the non-British (German) white settler population in Tanganyika.

This being so, it is argued that it is only a question of time before such a result automatically comes about, and that the wise plan is to accept the inevitable with

<sup>1</sup> Cmd. 2387, p. 7.

<sup>2</sup> Cmd. 2387, p. 21.



a good grace now and set up settler control of Kenya, or better still of all East Africa (so as to place the Germans of Tanganyika in a clear minority), by the creation of a new White Dominion on South African lines. There is a certain obvious case for this, and an equally obvious reply, both of which neglect certain deeper considerations which, while ultimately tending to support the settlers' case, suggest more emphatically a case for delay.

The obvious arguments on the settlers' side may be readily summarized. The settlers are the natural rulers of East Africa. Self-government may almost be regarded as a birthright of their race, and they are likely to be a more than troublesome factor in East Africa until this is granted. In the last resort government is always a question of force, and it is more than questionable if the Imperial Government could successfully employ force to coerce the settlers in any matter on which they conceived that their very existence depended. A few years after the war proposals were mooted for enlarging the electorate in Kenya in such a way as would have given a permanent majority to the Indians, and it was obvious that this was itself but a prelude to the transference of power to the legislature so elected, thus making the Indians the repository of power in East Africa. The white settlers promptly began to prepare for war. They had served almost to a man in the Great War, and though there might be doubt as to whether they would be able to convert the Masai and other tribes into an effective modern army in a short space of time, it was obvious that with a little drilling and organization they themselves would be able to give, under East African conditions, quite serious trouble—in fact, trouble which would only have been seriously limited by inadequate munitions. The Imperial Government would have had to fight under almost every conceivable disadvantage of *terrain*, and

with a moral handicap in the form of widespread English sympathy with the settlers. In the circumstances the settlers' demand for at least the *status quo* was irresistible.

The settlers' obvious case for control does not rest on mere force, however. It is to them and their plantations that East Africa must look for economic prosperity, for the funds wherewith to combat disease and for the principal basis of its credit. British officialdom (unlike, say, German officialdom) hardly ever achieves a satisfactory *liaison* with trade interests, and unless and until it is transformed by Dominion interest in the colonies, it will remain quite unfitted to take that alert cognizance of the world's changing needs in tropical products which is essential in those who are to have the economic guidance of East Africa.

Again, white men cannot do manual labour in the tropics, and the successful plantation of Kenya was from the first dependent on the supply of African labour. In view of the fact that it was at Government invitation that the settlers colonized the Highlands, it may therefore be held that Government undertook from the first some responsibility to the settlers for the provision or encouragement of labour, and cannot repudiate this obligation. But it is becoming increasingly clear that the economic development of East Africa cannot be divided into two watertight compartments. The European plantations in the Highlands and native agriculture elsewhere cannot be separated. Railway policy, including both construction and rates, road-making, tariffs and industrial regulation are inextricably interwoven with both. To take an example from the sphere of industrial regulation, if natives are to be encouraged to grow the profitable *arabica* variety of coffee, their product must be so graded before marketing as not to injure the remarkable reputation which careful grading has hitherto secured for the best coffee of

Kenya, and which is an important asset of the Colony. Again, as compared with *robusta* coffee, the *arabica* variety is extraordinarily subject to various blights, and it is clear that unsupervised native growing should not be allowed to spread these blights and thereby involve all East African coffee-growing in a ruin similar to that which overwhelmed the coffee industry of Ceylon. In a word, the settlers' case for obtaining the control of East Africa is primarily that they are the only people who are competent to control it economically and that the welfare of all its inhabitants is dependent on its economic development. In support of their view, and of what may be called the "South African" attitude to the race problem, they can quote the words of the East Africa Commission's Report that "the native population of East Africa is not increasing rapidly, far less rapidly than the native population in the Union of South Africa."<sup>1</sup> This view is endorsed by General Smuts in a recent book :

"The part of Africa in which the native population has been increasing most rapidly within the last fifty years is the Union of South Africa, and that fact is a great tribute to the favourable economic conditions which have rendered such an expansion possible, and to the medical care taken and welfare work carried on among the natives. It is certainly a very significant fact that in that part of Africa where a great white community exists alongside the natives, they have shown the greatest economic progress, the largest increase and the greatest advance in education and civilization."<sup>2</sup>

Last but not least it may be submitted that settler control of East Africa means Christian control. The ideal of a "black" civilization in West Africa may or may not develop on Christian lines. At present it

<sup>1</sup> Cmd. 2387, p. 46.

<sup>2</sup> This view is traversed by Mr. J. H. Oldham in "White and Black in Africa," chap. ii.

appears more likely to develop on Mohammedan or heathen lines, unless it should become a field for missionary effort by the American branch of the negro race. But settler control would definitely mean Christian as well as "white" civilization in East Africa, in the sense not merely of the increasing encouragement of such principles as monogamy, but in the continued permeation of all the aims and machinery of government by specifically Christian ethics.

The obvious reply to the settlers' case is contained in the Hilton Young Report. Briefly, it is that the settlers are one of the interested parties in labour disputes, and ought not to be judges in their own cause, and that the British Government is trustee first and foremost for the vast bulk of the population, that is, for the blacks, and only secondarily for the white and Indian immigrant communities, of whom, too, the Indian is the more numerous. The same argument is put even more forcibly by those who accuse past policy in Kenya of taxing the natives and contracting their reserves with the deliberate object of forcing them to work for the private profit of the settlers, and who attribute to this policy some unfortunate conditions in the reserves and the spread of disease.

Both this obvious case of the settlers and the obvious reply are admittedly based on the facts, as known to-day, but the facts as they may presently be are wrapped in obscurity. White settlement in tropical highlands is admittedly still an experiment. The present settlers of Kenya are in general splendid specimens of the British race. In personal physique, in public spirit and in education, they need not fear comparison with settlers in any land, and they have a stake in the country; but the second generation of them is still an unknown quantity, and it is not yet certain that they will not be replaced, as the planter-owners of Ceylon have been replaced, by the employees of plantation

companies. Again, it is still quite uncertain what crops are economically appropriate to East Africa. Sisal fibre, tobacco, rubber and tea call for large-scale production and European control. Cotton, such grain crops as maize and rice, and possibly also coffee, can be made to serve the conditions of native agriculture.<sup>1</sup> Concentration on the former group might eliminate the white settlers by so favouring the operations of large-scale companies as to substitute planter-employees. Concentration on the latter group might also eliminate them by absorbing all labour in the development of the reserves. Changeable conditions, on the other hand, might greatly strengthen their position, for large-scale plantation companies have their own limitations of adaptability. Apart from the demands of world markets, it is likely that successful tropical agriculture may come to depend more and more on scientific rotation of crops and, in view of the above grouping, the adoption of such rotations as the triple one of tobacco, cotton and maize for medium altitudes in East Africa, might have very far-reaching effects indeed. Yet other and larger uncertainties lie in the difficulty of foreseeing the general future orientation of East African trade. Zanzibar, for instance, with its substantial monopoly of cloves, looks principally to the East ; but cotton, which has promoted an economic revolution in Uganda and in parts of the Sudan, links these countries with Manchester. The whole outlook, again, would be revolutionized by important mineral discoveries, such as have been made in Northern Rhodesia ; by any economic regrouping of the world such as is connoted by the phrase " Empire Free Trade " ; by new railway links with the south or north ; by the sudden solution of the problem of cheap air transport ; by far-reaching developments in rival tropical lands such as Madagascar ;

<sup>1</sup> Cf. " Kenya," by Norman Leys, p. 382.

or by a Soviet-organized revolution or other cataclysmic political development in India.

The conclusion which these considerations appear to suggest is that settler control in the form of a White Dominion in East Africa is certainly possible and perhaps inevitable, but that the wise course for the present is to wait, or in other words to maintain for the present the position of the Imperial Government as the repository of ultimate power in East Africa and trustee for all its inhabitants. This conclusion, however, cannot be seen in true perspective apart from a consideration of the other possible repositories and of the general position of East Africa in the Imperial family.

## CHAPTER XVIII

### TRUSTEESHIP CONCLUDED

"To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such people form a sacred trust of civilization. . . ."—From Article 22 of the Covenant of the League of Nations.

If the imaginary spirit which has been pictured as brooding over Africa could leave for a little the heights of Ruwenzori and, starting from Cape Town, wing his way first to the Limpopo or the Zambezi, and then north to the second Cataract of the Nile, he would pass in review a very varied range of human societies, yet hardly anywhere would he encounter the sharp contrasts which are so common in West Africa. East Africa is in a way a single entity, and its internal divisions are continually blurred.

In South Africa he would find a "white" State, with a predominantly "white" civilization, but with the whites in a minority of one to four, and themselves divided into a Dutch majority and an English minority. He would find this State organized upon the basis of a secular caste system, and, surveying the pathetic condition of the ostracized "coloured" population, he might fairly speculate on the inability of a secular caste system to preserve the purity of a race, and he might sigh momentarily for the more rigid rules of a religious caste system, which might tend at least to restrict the numbers of the casteless. Yet as he reflected on the present attempt of the white race to exclude the Indian

and the African from direct participation in Government, he might see in the "coloured" vote the Achilles' heel of pure white oligarchy in South Africa and an omen of hope, not merely to the "coloured," but to the blacks and Indians also. He might even see dimly a hopeful parallel with Europe, for just as the white race has successively found political salvation in monarchy limited by a martial baronage, in monarchy buttressed by aristocracy but progressively limited by democracy, and in democracy limited by finance, so it is possible that South Africa may find salvation in white oligarchy progressively limited by rising economic power and education in the other races. But it would surely strike him as odd that in South Africa, where the white race is numerically so strong and "white" civilization apparently so firmly established, there should be such unmistakable evidences of deep-seated apprehension in the white race as are afforded by the policies of territorial segregation and of black exclusion from politics. The problem of the "poor whites" on whose behalf the colour bar operates to exclude blacks from various mechanical trades, and the answering portent of trade union organization on the other side, might well induce a fear that the race problem may ultimately lead to terrible convulsions in South Africa.

In the Rhodesias he would behold a somewhat similar but a happier world, and a world in which he might detect a more active spirit of trusteeship than might have been observed even in the Imperially controlled area of Basutoland, or the Protectorates of Bechuanaland and Swaziland. In the Rhodesias he would find the white race a far smaller proportion of the total population than in the south, but unified in itself and predominantly English. In Southern Rhodesia he would find what amounts to a self-governing Dominion, though in native affairs its competence is still limited. In Northern Rhodesia he would recognize one of those



violent economic revolutions which only the sudden discovery of vast mineral wealth can produce. He would see in the copper mines of Northern Rhodesia a much needed source of prosperity for the natives of overcrowded Nyasaland and a potential drain on the labour resources of Tanganyika such as may seriously retard white colonization in the highlands of that area. As he observed the black engine-drivers and mechanics of these Dependencies he would note the passing of the colour bar, along with the "poor whites" which cause it, and might well wonder whether, after all, the true rôle of the white race in Africa may not be that of direction and leadership only. The proportion of whites in the population of Eastern and Central Africa as a whole is less than one in 400.

And so by mandated Tanganyika, throughout the administration of whose vast area there runs the spirit of Article 22 of the Covenant, by white-controlled, progressive Kenya, and by indirectly white-controlled and equally progressive Uganda, he would come to where under the loosest and least interfering of white regimes the strange tribes of the Southern Sudan reproduce in the twentieth century the Age of the Patriarchs. As he approached the Northern Sudan he would find literally millions of acres of good land, having good cultivators available, a fair climate and within reasonable reach of the seaboard and of markets—derelict because of the uncertain rainfall. He would see in the great cotton land of the Gezira what opulent rewards await the response of white civilization to the irrigation needs of that thirsty soil. Yet as he watched the black cotton-cultivators of the Gezira happily and unconcernedly working in the fierce sun, and contrasted them with the pith-helmeted European; or watched the European with heavy heart bid farewell to his already pallid wife at the coming of the summer heats, he would realize with extraordinary vividness at once

the tremendous impact of white civilization upon Africa and the equally tremendous limitations of the white race itself in that country. The thought would strike him that the white race in Africa is much in the position of a physician, for as a physician depends for his success on the medicine-taking co-operation of his patient, so in alleviating the miseries of that continent of suffering the white race is rigidly limited by the co-operation which it wins from the peoples of Africa. It is not unlikely that our imaginary spirit might return to Kenya with a new perspective.

Kenya indeed is one of the three points whence European influence radiates most actively through East Africa, and is perhaps the most important of the three, for the Northern trade route by the Nile is tenuous and South Africa is very far away. Which in the long run is the better fitted to win the co-operation of Africa—the exuberant energy of the Kenya settlers or the occasionally somewhat somnolent trusteeship of the Colonial Office? Or can it be that one or other of the remaining possible repositories of power may offer a more promising prospect? These other repositories are the Indians, the blacks, a communally balanced Legislature and the Imperial Government in association with the Dominions.

The incident mentioned in the previous chapter illustrates the utter impossibility in present circumstances of Indian control in East Africa. In the absence of adventitious aids the fox is but indifferently qualified to rule lions. In a battle of wits, however, it is sometimes the fox who triumphs, and the recent endorsement by the British Government of the common electoral rôle as an objective of policy in Kenya represents a step towards a position in which the white settlers might find themselves manœuvred into a minority position in the Legislature. If this came about gradually and coincided with the gradual economic

elimination of the settlers, the fox would indeed have triumphed, and not merely over the lion, but over all, unless the Imperial Government maintained a very active solicitude for the blacks. There are indeed some who believe that the Indian will in the long run outlast the white and outmanœuvre the black in East Africa, but this view neglects the fact that the Indians in East Africa were mainly drawn from low castes and belong to types very distinctly removed from, say, the Brahmin. Except under the wing of the Imperial Government and in the absence of the settler, they could have no chance of ruling East Africa.

The possibility of black control is not quite equally remote. The principle of universal franchise which might be conceived to promote it is being tried in Ceylon, but few are sanguine of the results. If it succeeded there, it would merely place the chief political power in the hands of the section of the community least competent to exercise it. It is, however, unlikely to succeed amid the docilities of Ceylon. It is in fact unlikely to do more than mildly inconvenience the jobbery by the Ceylon oligarchy, which must ensue under the new constitution. But *ex Africa semper aliquid novi*. The sudden decision of a British Government to institute universal suffrage in Kenya might in certain circumstances produce remarkable results. In the first place, there are tribes in Kenya who are anything but docile, and to whom their tribal leaders might be able to explain the working of the vote. In the second place, the African has a notable capacity for admiring the quality of leadership, and in spite of his own backwardness he might contrive to find able political representation. In this connection the influence of the missions is all-important. Stranger things have happened in Africa than the meeting of a predominantly black Parliament with a missionary majority. It would not necessarily follow that all or many of the missionary

members would belong to the white race. The contingency must be borne in mind not only in connection with the Legislative Council of Kenya, where it is extremely unlikely, but also in connection with the native advisory councils which are proposed in the Hilton Young Report. Under official control the Legislative Council is itself but an advisory body, and the relative importance of these other advisory bodies has yet to be determined.

A communally balanced Legislature wielding real power in East Africa would, of course, involve an abandonment of the principle of trusteeship in favour of that of "self-government" or "democracy." It is difficult to conceive a proposal less calculated to promote the co-operation of black and white in East Africa or one more effectively adapted to introduce discord. As long, however, as the Imperial Government remains the real repository of power, the election of an advisory Legislature, on whatever principles composed, is unlikely to cause any *lasting* friction.

Almost every fact and argument has so far suggested the maintenance, at all events for the present, of Imperial control and trusteeship. But is it necessary that that Imperial control should be exercised by the United Kingdom, which alone among the major self-governing units of the Empire numbers no primitive or aboriginal races within its borders? Surely such control could not but benefit from the special knowledge of Africa which is the heritage of South Africa, from Australian, New Zealand and Canadian internal experience and from the mandatory experiences of the first two. Surely almost all the Dominions can contribute from their stores of experience of pioneering problems in primitive conditions. Once aroused, theirs is not likely to be a languid interest, and it ought to be a very valuable one to East Africa.

It ought also to be a very valuable educative and

stimulating interest for the Dominions themselves. Consider, for instance, the subject of land tenure. In West Africa communal land tenure is preserved. If it is to be abolished there, it is for the Africans themselves to abolish it. Let them build their civilization in their own way. But in East Africa trusteeship has dictated the opposite course. Not a distinctively black civilization, but the best possible civilization is the only reasonable aim where white civilization has impinged so violently. In East Africa the communal systems of land tenure have largely broken down under the impact of European civilization, and we are actively encouraging this breakdown in the belief that nomadic habits are a bar to the progress of the African, and that where the land is good his best future lies in mixed agriculture, with fixity of individual tenure so as to encourage enterprise, rather than in exclusively pastoral husbandry. In particular we have especially favoured tillage in East Africa because we have set it before us as a specially desirable aim in East Africa to encourage male labour, and the use of the plough, for several reasons, encourages male labour. Constant vigilance as warriors is now no longer required of the men, and the encouragement of male labour decreases the temptation of idleness, increases the economic productivity and prosperity of the tribes, and encourages the hope that the women, being set free from some of their burdens, may succeed in raising the standards of home life.

One might dilate on a thousand minor aspects of the day to day exercise of trusteeship in East Africa, on the fight with witchcraft, that terrible nightmare of the Dark Continent; on the effort to eliminate barbarous and cruel customs such as the murder of twins and various obscene customs involving not only pain amounting to torture but the subsequent considerable destruction of infant life; or the everlasting fight with the endemic diseases of Africa; or the tsetse-fly; or the

Zambezi bridge scheme ; or the recurrent problem of famine in Uganda, etc., etc. In all these matters there is an unlimited field for Dominion co-operation. There are not wanting signs that the Dominions would gladly co-operate if they were but asked. To name a single instance in the sphere of Church work, the Australian Church has taken over the work of the new Diocese of Central Tanganyika, which was carved out of the Diocese of Mombasa in 1927.

There are yet other and still more important reasons for Dominion association in trusteeship for East Africa. It is proposed, following the recommendations of the Hilton Young Report, to create a new central authority to co-ordinate trusteeship in Kenya, Tanganyika and Uganda under a High Commissioner, who will occupy a position of enormous prestige and importance in East Africa. Such a High Commissioner will speak with extraordinary weight and authority, and it is likely that only the strongest of Secretaries of State will be anxious to withstand him unless weightily advised. But the complementary proposal of the Hilton Young Report, which would have equipped the Secretary of State with an informed advisory council in London, has not been adopted. Consequently there is the greatest need of that informed advice and criticism in London which South Africa and Southern Rhodesia at least could give in full measure.

Finally it must be confessed that England herself grows daily older, more sophisticated, more "European" in the bad sense of a contracted outlook. It is of course only a temporary phase, a consequence of her incredible sacrifices and efforts in the Great War ; but it is a temporary phase during which needless harm might easily be wrought in East Africa. It is a phase during which she stands in peculiar need of just those spiritual qualities in which the Dominions are so strong, of robust faith in the mission of European civilization,

and courage to embark on great projects and carry them through. The courage and vision of those who first joined the Atlantic and Pacific Oceans with a Canadian railway, or of those who are now working to join north and south in Australia, is the supreme need of "the largest undeveloped land mass in the world, obviously rich in natural resources." The white race has set its hand to the plough in East Africa, and it ought not to look back until it is assured that white civilization and Christian standards of conduct will have had a fair chance to take root and flourish in all the good soil of East Africa. It has approached its task in the spirit of a great trust, but in British East Africa it needs Dominion help. It needs it obviously and urgently throughout the Dependent Empire where the trusteeship is direct. It may appear from subsequent remarks that it needs it no less urgently and imperatively where the third great principle of the Dependent Empire has been applied and Great Britain has adopted the policy of indirect rule.

## PART IV. INDIRECT RULE IN THE EAST

### CHAPTER XIX

#### THE INDIAN STATES AND PARAMOUNTCY

"In the Indian States nature assumes its grandest and its simplest forms. The eternal snows of the Himalayas gather up and enshrine the mystery of the East and its ancient lore. The enterprise of old-world Western adventure now slumbers by the placid lagoons of Travancore and Cochin. The parched plains of Rajputana and Central India with their hilly fastnesses recall the romance and chivalry of days that live and inspire great thoughts and deeds. The hills and plains of Hyderabad and Mysore, famed for gems and gold, for rivers, forest, waterfalls, still cry out great names of history. Over the dry trap plateaux of the Deccan swept the marauding hosts of the Mahrattas, eating here and drinking there, right up to ancient Delhi. From the west, the ports of Kathiawar with their busy progressive people stretch out hands to the jungles of Manipur in the East with their primitive folk and strange practices. The marching life of Moghul and Mahratta times has yielded to the sustained quiet of British rule, but the old spirit survives in many a story and many a hope."

—Report of the Indian States Committee (Butler Report), p. 11.

"To the peasants throughout India there is magic in a hereditary Prince, who is sometimes the religious as well as the secular head of his people. . . . When the late Sir John Strachey marshalled the cases of State abuse in India which had led to our intervention, he could name only ten in forty years, though over five hundred Princes had governed; while in Europe far fewer Princes ruled, but more were unfit to govern."

—From "Scraps of Paper," by A. P. NICHOLSON, p. 46.

THE Protectorates, protected States, and indirectly ruled areas of the British Empire form an Empire in themselves more extensive and more populous than that of ancient Rome in the Age of the Antonines. The principle on which this vast Empire is conducted is quite different from the definite principles of "democratic" oligarchy and trusteeship, though it may be combined with either, as in the respective cases of Mysore and Northern Nigeria. It is a recognizable principle,



but it is infinitely protean, rarely in fact assuming the same form in any two areas, and it lacks a satisfactory name. It is so variable that it cannot be described in brief, but this at least can be said, that everywhere it works through indigenous rulership, and looks primarily to such rulers. It is here that it contrasts with the principle of "democratic" oligarchy which looks primarily to the upper-class natives, and with the principle of trusteeship, which looks to all. In spite of the inconvenience of using one word in two senses, the principle will here be referred to as "indirect rule," and it will be made clear in the context in each case whether this general meaning of "indirect rule" is intended or the more usual technical meaning associated with the forms of government operating in such countries as the unfederated Malay States or Northern Nigeria.

The endless differentiation which the general principle undergoes in application makes it a hopeless task to survey these applications in detail, and all that can be attempted is such a general outline as may serve to differentiate its main peculiarities and to suggest the probable reactions upon it of Dominion control. Postponing the obviously special cases such as Egypt, Irak and Transjordan, the two great spheres in which indirect rule has been applied have been the East and tropical Africa.

Among the Eastern applications, by far the most important are the Indian States, which comprise over 700,000 square miles and some 72,000,000 people. As Sir Sidney Low has pointed out, this is more than the total white population of the British Empire; and the Nizam of Hyderabad alone "has actually more subjects than any of the great independent Mohammedan sovereigns—the Shah of Persia, the Amir of Afghanistan, or the Sultan of Morocco."

It is a commonplace that these States defy classifica-

tion, politically and in every other way. They range from the Nizam's Dominions covering 82,700 square miles, with a population of 12,500,000, to petty holdings of a few acres in the Deccan.

As the Butler Committee point out, too, the term Indian State "includes also States economically, politically and administratively advanced, and States, patriarchal or quasi-feudal in character, which still linger in a mediæval atmosphere; States with varying political powers, constitutional States like Mysore and Travancore, and States which are under purely autocratic administration. The one feature common to them all is that they are not part, or governed by the law, of British India."<sup>1</sup>

In a broad way, then, how is the principle of indirect rule in its wide sense applied to this varied range of States? There is a certain difficulty in answering this question outright owing to the fact that between the Government of India and the Princes there is a deep cleavage of opinion regarding the nature of the relations between them. Perhaps the simplest course will be to take first the facts which are not in dispute, then the special contentions of the Government of India and those of the States, and finally in the following chapter the proposals of the Butler and Simon Reports, and the general future of the States.

It is not in dispute that the States are foreign, not British, territory; that they have no international status, their foreign relations being those of the protecting power; that the Crown is thus responsible to other nations for the protection and fair treatment of their nationals in the Indian States and to the States for the protection of their subjects abroad; that the Crown is responsible for the internal no less than the external security of the States; that the Crown has bound itself by repeated solemn pronouncements

<sup>1</sup> Report of the Indian States Committee, 1928-9 (Cmd. 3302).

which, with the Treaties, are the basis of its relations with the States; and that the Crown is paramount in all India.

The disputed contentions of the Government of India start from the fundamental legal position that the terms of such contracts as the Treaties are subject to interpretation, and to modification by usage, by sufferance and by decisions of the Government of India and the Secretary of State embodied in political practice. As the Butler Committee observe :

“The relationship of the Paramount Power with the States is not a merely contractual relationship, resting on treaties made more than a century ago. It is a living, growing relationship shaped by circumstances and policy, resting, as Prof. Westlake has said, on a mixture of history, theory and modern fact.”<sup>1</sup>

And again, quoting a pronouncement made by the Government of India in 1877 :

“The paramount supremacy of the British Government,” it was then said, “is a thing of gradual growth; it has been established partly by conquest; partly by treaty; partly by usage; and for a proper understanding of the relations of the British Government to the native States, regard must be had to the incidents of this *de facto* supremacy, as well as to treaties and charters in which reciprocal rights and obligations have been recorded, and the circumstances under which those documents were originally framed. In the life of States, as well as of individuals, documentary claims may be set aside by overt acts; and a uniform and long-continued course of practice acquiesced in by the party against whom it tells, whether that party be the British Government or the native State, must be held to exhibit the relations which in fact subsist between them.”<sup>2</sup>

<sup>1</sup> Report of the Indian States Committee, 1928-9 (Cmd. 3302), p. 23.

<sup>2</sup> Report of the Indian States Committee, 1928-9 (Cmd. 3302), p. 24.

The Committee might here have quoted the celebrated exposition of this doctrine by Sir William Lee-Warner :

“Express conventions among contracting parties must always command a solemn respect, although it is very important to observe that they are subject to the fretting action of consuetudinary law. The decisions of British Courts of Law interpret the provisions of Acts of Parliament; and by a similar process the judgments of the British Government upon issues raised by its dealings with the native States test the Treaties by the touchstone of practical application.”<sup>1</sup>

The Committee quote a long series of pronouncements by the Government of India justifying intervention “in its own interests as responsible for the whole of India, in the interests of the States, and in the interests of the people of the States.” Early in the nineteenth century the Indian Government could not remain “indifferent spectators of the disorders and misrule” in the Nizam’s Dominions. In 1860—

“Lord Canning laid down the two great principles which the British Government has followed ever since in dealing with the States: (1) that the integrity of the States should be preserved by perpetuating the rule of the Princes whose power to adopt heirs was recognized by sanads granted in 1862; (2) that flagrant misgovernment must be prevented or arrested by timely exercises of intervention.”<sup>2</sup>

In the Baroda case (1873-5) the Viceroy and Governor-General wrote in reply to the Gaekwar’s protest against the appointment of a commission to hear complaints against him and to suggest reforms: “My friend, I cannot consent to employ British troops to protect anyone in a course of wrong-doing.”

<sup>1</sup> Lee-Warner, “The Protected Princes of India,” chap. ii.

<sup>2</sup> Report of the Indian States Committee, 1928-9 (Cmd. 3302), p. 15.

In the Manipur case (1891-2) a Resolution issued by the Governor-General in Council claimed the right "to remove by administrative order any person whose presence in the State might seem objectionable."

In a Vice-regal pronouncement at Udaipur in 1909 Lord Minto said :

"Our policy is, with rare exceptions, one of non-interference in the internal affairs of Native States. But in guaranteeing their internal independence and in undertaking their protection against external aggression, it naturally follows that the Imperial Government has assumed a certain degree of responsibility for the general soundness of their administration, and would not consent to incur the reproach of being an indirect instrument of misrule. There are also certain matters in which it is necessary for the Government of India to safeguard the interests of the community as a whole, as well as those of the Paramount Power, such as railways, telegraphs, and other services of an Imperial character. But the relationship of the Supreme Government to the States is one of suzerainty."<sup>1</sup>

Developing the general argument, the Butler Committee emphasize the obligations of the Paramount Power to foreign States in respect of the international obligations of the Indian States ; the duty of the Paramount Power of preventing among the Indian States "those quarrels and grievances which among really independent powers would lead to international conflict" ; and the right derived from its fourfold duty of protecting British India and the Indian States from both foreign and domestic foes, "that the Paramount Power should have means of securing what is necessary for strategical purposes in regard to roads, railways, aviation, posts, telegraphs, telephones and wireless, cantonments, forts, passage of troops and the supply of arms

<sup>1</sup> Report of the Indian States Committee, 1928-9 (Cmd. 3302), p. 19.

and ammunition." Intervention is held to be justified: (1) on behalf of the Princes, to settle successions and appoint minority administrations; (2) on behalf of the States in cases of gross misrule or serious crime by a ruler, and for settlement and pacification, and (3) for the benefit of India as a whole, but not for the economic benefit of British India alone.

Finally the Committee record their inability to define paramountcy:

"Conditions alter rapidly in a changing world. Imperial necessity and new conditions may at any time raise unexpected situations. Paramountcy must remain paramount; it must fulfil its obligations, defining or adapting itself according to the shifting necessities of the time and the progressive development of the States. Nor need the States take alarm at this conclusion. Through paramountcy and paramountcy alone have grown up and flourished those strong benign relations between the Crown and the Princes on which at all times the States rely. On paramountcy and paramountcy alone can the States rely for their preservation through the generations that are to come. Through paramountcy is pushed aside the danger of destruction or annexation."<sup>1</sup>

It may be urged against this whole argument that it proves too much. Legally it appears to give the Crown an unlimited discretion in its interference with the States, and there is a sense in which it may be said that the States have no redress, for, however necessarily in the present and perhaps for a long time to come, the Crown is here judge in its own cause. It holds itself responsible for the prevention of grave misrule, as otherwise, owing to its protection of the ruler, it would be indirectly responsible for the results of such misrule. But why should this be limited in law to "grave"

<sup>1</sup> Report of the Indian States Committee, 1928-9 (Cmd. 3302), p. 31.

misrule? The limitation appears arbitrary, and a power in one party to a contract to vary the contract arbitrarily is a strange legal doctrine.

Law, of course, needs interpretation and application, and it is conceivable that a view of the nature of treaty law might be evolved by which treaties might be construed in the light of principles bearing a relation to the treaties analogous to the old relation of equity to common law. It might be so, and it is possible that if a case could be brought before the Judicial Committee of the Privy Council it might hold that the "political practice" of the Government of India in relation to the States constituted such principles. On the other hand, it is far more likely that it would refuse altogether to allow the character of law to this "political practice,"<sup>1</sup> and would lean rather in the opposite direction, to the very literal interpretation of contractual obligations, and to the contention of the Princes that without agreement on the part of the States neither usage nor sufferance nor yet decisions of the Government of India can avail to transfer from the States to the Crown any other parts or powers of sovereignty than are contained in the treaties, that is for the most part, powers in connection with foreign affairs and with external and internal security; for the other argument would leave scarcely any necessary binding force in any international agreement.

There is, however, one legal theory according to which the right of the Crown to vary the treaties might be defended. It is put in an extreme form by Hall:

"From the moment that the Queen was proclaimed Empress of India the Sovereign powers which Native Princes enjoyed, and enjoy, ceased to be relics of their

<sup>1</sup> "To warrant this analogy the Courts of Law would have to sit in secret, take no evidence, refuse defendants the benefit of council, and permit no system of appeal."—From "Scraps of Paper," by A. P. Nicholson.

independence ; they were kept by sufferance or delegation."

In a less extreme form it might be held that the Crown then assumed a discretionary capacity to take further portions of sovereignty from the States, and that acts needing this justification imply the necessary transfers of sovereignty. Such acts, like annexation itself, would be clearly within the prerogative of the Crown. They would be acts of State.

If none but the Crown and the Princes were affected, such acts would be very difficult to justify morally, for both this contention regarding the new powers assumed by the Crown since the treaties, and the "usage" argument, leave the Crown in the position of forcibly assuming an unlimited discretion as to how far it will honour its own most solemn undertakings to the Princes.

The Princes are impatient of it all, and at first sight their case may appear overwhelming. Let us try and state it fully and fairly. To them "the fretting action of consuetudinary law," or in other words "usage" without voluntary consent, and prerogative assumptions of parts of sovereignty, are casuistry, specially in view of the promises of the Crown to honour the treaties. In the very Proclamation which transferred the authority of the East India Company to the Crown Queen Victoria declared :

"We hereby announce to the Native Princes of India that all Treaties and Engagements made with them by or under the authority of the Honourable East India Company are by Us accepted and will be scrupulously observed ; and We look for the like observance on their part. We desire no extension of Our present territorial possessions ; and while We will admit no aggression upon Our dominions or Our rights to be attempted with impunity We shall sanction no en-



croachment on those of others. We shall respect the rights, dignity, and honour of the Native Princes as Our own ; and We desire that they, as well as Our own subjects, should enjoy that prosperity and that social advancement which can only be secured by internal peace and good government."

King George's Proclamation of 1921 contained the following :

" In my former Proclamation (1919) I repeated the assurance, given on many occasions by My Royal predecessors and Myself, of My determination ever to maintain unimpaired the privileges, rights, and dignities of the Princes of India. The Princes may rest assured that this pledge is inviolate and inviolable."

To the Princes these Proclamations carry the personal promise of the Emperor and King-Emperor and in them they repose their trust, but they are bewildered and alarmed by what seems to be the very different tenor of the Butler Report and by the policy of the Political Department of the Government of India. In 1921, the very year of the King's Proclamation, the Maharana of Udaipur, the senior Rajput Prince and one of the most venerable figures in Hindoostan was virtually deposed for a series of complaints, of which the chief were deficient roads and irrigation, unstabilized currency, disputes with his feudal Thakurs, legal delays, alleged underpayment of officials, and an out-of-date central hospital ! What a case for the deposition of a sovereign ruler ! In the treaty of " perpetual friendship " with Udaipur it is laid down that " The Maharana of Udaipur shall always be absolute ruler in his own country, and the British jurisdiction shall not be introduced into that Principality." Comment of yet another kind upon this example of " usage " is provided in the minds of thousands of English travellers by a certain

mental picture which remains with them as one of the most beautiful of their abiding memories of India. It is a picture of white walls and delicate towers and cupolas whose shining white contrasts with the dark green of several noble trees, the whole being reflected in the placid waters of a lake. It is the Lake Palace, which was given in the Mutiny as a refuge to Englishwomen by the Maharana of Udaipur.

This case of the Princes is a formidable one and their feelings are very natural. Nevertheless it is possible to base a reply of some moral force upon the rights and position of the subjects of the States. It may be contended that the treaties placed a moral responsibility upon the Crown to protect these subjects from the grosser abuses of absolutism. After all, before the treaties the subjects of the States possessed the power to revolt against oppression. That power had two aspects—(1) It could be used against actual oppression, and (2) Its mere existence was a check upon oppression. By the treaties we robbed them of that power since we reinforced the power of their rulers with what amounted in practice to an irresistible force. It may therefore be contended that the Crown has a moral duty to the subjects of the States to save them from such extreme oppression or abuses as they would have resisted successfully if they had only had their Princes to deal with. This raises a question of a kind which is quite unsuited to determination by a legal process and affords a moral justification of the assumption by the Crown of some discretionary powers. Those powers may have been abused or mistakenly employed upon occasion, but this does not disprove the rightfulness of their assumption. Nevertheless, properly understood, such powers need not cause the Princes too grave a concern. Such powers must vary to some extent with the growth or decay of civilization in British India, which has hitherto set the pace for India as a whole,

for if the States were independent their subjects' demands for good government would be mainly influenced by the local standards available for comparison. Yet even at their maximum, such powers cannot amount to more than natural limitation upon the powers of the Princes. Nor are they inconsistent with the Proclamations, for the "rights" therein referred to are morally subject to the natural limitation that all rights have limits and should not be abused. That is surely the plain meaning of Queen Victoria's promise to respect their rights "as Our own."

The real fault would appear to lie in the present indefiniteness and ambiguity of the conception of "paramountcy," and its haphazard application. What are the Dominions likely to think of the general principle of indirect rule in this particular form? Before that question can be answered it is necessary to consider two recent sets of proposals regarding the future of the States.

## CHAPTER XX

### THE FUTURE OF THE INDIAN STATES

"I make no secret of my view that in any proposals that may be made it is essential, on every ground of policy and equity, to carry the free assent of the Ruling Princes of India and that any suggestion that the treaty rights which the Princes are accustomed to regard as sacrosanct, can be lightly set aside is only calculated to postpone the solution that we seek."—LORD IRWIN as quoted in Simon Report, vol. i, p. 91.

"While impressed with the need for great caution in dealing with a body so heterogeneous as the Indian Princes, so conservative, so sensitive, so tenacious of internal sovereignty, we confess that our imagination is powerfully affected by the stirrings of new life and new hopes in the States, by the progress already achieved and by the possibilities of the future."—Butler Report, p. 52.

THE characteristic principle of government in the Protectorates and Protected States of the Empire, to which for convenience the name "indirect rule" has been given, appears to be an exceedingly doubtful and ambiguous principle in its Indian form of paramountcy. So great, in fact, is the uncertainty as to suggest either that the principle is being applied without some necessary limiting principle implied in and called for by the principle itself, or else that the principle is confused with the need for interpretative discretion in its application.

It would appear that the first of these sources of confusion is partly present and that the other is clearly present. In the first place, the principle of the paramountcy of the Crown in India obviously implies the need for two limiting principles. It implies the need for a regulative principle to guide the Crown in its interferences with the States, and for a principle indicating how far such interferences are to take account respec-

tively of the Princes themselves and how far of their subjects. The first of these principles is obvious and is admirably described in the Butler Report as the duty of the Crown to look to the interests of India as a whole. But the second principle is wanting, and its absence is very manifest in Paragraph 50 of the Butler Report, which deals with popular demands in the States. The Report can here only propose that if there should be a popular demand, not due to misgovernment, for the elimination of a Prince and the substitution of another form of government, the Paramount Power would be bound "to suggest" such measures as "would satisfy this demand without eliminating the Prince." It is difficult to see what the Paramount Power could "suggest" except the conversion of the Prince into a "constitutional" ruler by the sacrifice of some of the very "privileges, rights and dignities" solemnly guaranteed in the successive Royal Proclamations of the Paramount Power. The conclusion seems irresistible that the general principle of indirect rule demands a correlative principle defining the powers and rights of the subordinate rulers, as well as a principle defining the conditions of interference by the Paramount Power.

In the second place the Butler Report obviously confuses paramountcy with its interpretative application. All contracts demand interpretation, and treaties particularly call for (a) some authorized authority to interpret them and (b) some acknowledged principles of interpretation. In relation to the Indian States the first has been unsatisfactory, and the second utterly lacking. The Paramount Power has been itself the authorized interpretative authority, which is unsatisfactory as that Power is a party to the treaties; and so far from there being acknowledged principles of interpretation, the principles applied have been kept secret, they have sometimes been quite indefensible (for

example, the now abandoned theory that the Indian States are "feudatories," although the whole feudal analogy with its basis in land tenure by military service is, in general, foreign to Indian custom),<sup>1</sup> and they have changed from time to time.<sup>2</sup> The Butler Report confuses the Paramount Power as such and under the treaties, with the Paramount Power in its judicial capacity as interpreter of the treaties; and it confusedly uses the word "paramountcy" to cover both the relationship of the Paramount Power with the States under the treaties, and its relationship to them in the exercise of its judicial discretion in the interpretative application of the treaties to the changing needs of administration in the modern world.

The difficulty of defining "paramountcy" under the treaties should not be insuperable were the Paramount Power—while retaining and acting on its moral right to interfere on behalf of subjects of the States, and retaining its power of discretion in such interference—to abandon to some impartial legal body its invidious function of interpreting the law of treaties to which it is itself a party. The Judicial Committee of the Imperial Conference which has been suggested earlier in these pages would be the obvious body to assume this responsibility. For the purposes of hearing Indian appeals such a body (which could sit in several Divisions) would presumably sit in India. Presumably also it would include judges drawn both from British India and from the Indian States, whether India herself continued to be represented on the Imperial Conference by a single delegation, as at present, or sent two or more delegations.

These suggestions raise the general question of the

<sup>1</sup> Nicholson (p. 287) mentions exceptions, e.g. the old relationship of the Thakurs of Idar to the Maharajah of Idar.

<sup>2</sup> E.g. the now abandoned doctrine of the "lapse" of States to the Paramount Power when their rulers died without heirs—a doctrine which ignored the Indian custom of adopting heirs.

future of the States, and here two distinct sets of proposals have been made respectively by the Butler Committee and the Simon Commission. These proposals have a permanent importance as typifying the proposals respectively of those who would maintain the *status quo*, and of believers in the possibility of federation.

The Butler Committee propose that the Viceroy instead of the Governor-General-in-Council should be the agent of the Crown in relation to the States. This suggestion is calculated to gratify the Princes by giving them more direct relations with the Crown and has been warmly received by them. Other recommendations include the adoption of the principle that the Princes ought not to be handed over without their consent to a new Government in India responsible to an Indian legislature ; the representation of the States on committees to be appointed by the Viceroy to advise him on matters affecting British India and the States, and on more formal committees appointed when such committees failed to agree ; regular consultation between the Political Secretary and the Standing Committee of the Chamber of Princes ; the appointment of an expert body, including representation of the States, to inquire into claims of the States to a share in the customs revenue and into the adequacy of the contribution of the States to Imperial burdens ; the extension of the personal exemption of Princes from customs to all Princes who are members of the Chamber of Princes in their own right ; the handing over to the States, conditionally, of jurisdiction over branch railways ; certain other railway concessions ; and financial concessions in view of the Central Government's control of currency and post office savings banks.

These do not exhaust the recommendations, but the others, as for example those for the better training of political officers, raise few questions of principle. The

Butler Report has largely escaped criticism on the score of its positive recommendations, but its negative findings have disappointed the Princes. In general the Committee refused to reopen the question of any past decision of the Political Departments, however inequitable or however apparently repugnant to treaty rights, on the ground that they were not a judicial tribunal; but having done so they went on to cite Viceregal decisions and pronouncements based on the Department's theories of "political practice," in justification of the highly controversial interpretation of the legal doctrine of "usage" and "sufferance" which the Department has adopted. Their Report has the virtue of wise caution, but it lacks altogether that other quality so essential in dealing with oriental peoples,—imagination.

The Simon Report does not altogether lack grandeur of conception in its method of approach to the same subject. It looks first to a far-distant future when the federation of all India may be accomplished by the "gradual accretion" of the States to a federal scheme, but its analysis of the difficulties of such a scheme is hardly encouraging. It sees that the only possible form of federation would be one in which the federal authority was composed by representation of the federal units. It omits mention of the fact that this form of federation (the *Staatenbund*) is unequivocally denounced as the worst form by almost every writer and thinker on federalism. It is Seeley's "very common blunder in State-building," and the "principle of imbecility in government" of "The Federalist." It is true that the Simon Commission recommend a similar principle of composition for the central legislature of British India, but the status of that legislature is purely consultative. The Government of India remains responsible to the Imperial Parliament.

The difficulties multiply on consideration. The



large Provinces of British India would have to be federated with the Indian States, which are of all sizes, number nearly 600 units, and must be largely represented in groups or by rotation, so that individual States might easily come to have no say whatever in the policies that affected them most. Moreover, all these States, so jealous of their sovereign rights, would have to allow all federal subjects to be administered within their borders by federal officials with concurrent jurisdiction, and for this privilege they would have to surrender their right to the fiscal duties on imports and exports which form the only considerable steady factor in their revenues, modifying their dependence on land revenue, with its uncertain reliance on such factors as the monsoon. Intervention on a breakdown of government in a federated State would appear also to fall, not, as now, to the King's representative, but to the new Federal Government.

Moreover, the States would enter a constitution of extreme intricacy and artificiality, the working of which must always remain correspondingly incalculable. There would be first the Great Provinces of British India federated under a Central Government with concurrent jurisdiction over them in "security services." Under this Federal Government, but apart from the Provinces, would be the special areas of the North-West Frontier Province, Baluchistan, Delhi, Ajmer-Merwara, Coorg and the Andaman and Nicobar Islands ; and in relations with the Head of this Government as Viceroy would be those Indian States which had not at any given time joined the federation. These latter States, or most of them, would join with the federated States in maintaining the federal consultative, deliberative and advisory, but not executive, machinery of the Chamber of Princes. Then over these Governments there would be *another* Federal Government consisting of representatives of the Provinces and special areas of British India,

of certain large States which had joined the federation, and of such groups of smaller States as had joined it. Over against these latter groups and isolated from them would be the Federal Court, which would prevent each from overstepping its constitutional limitations, and which, by its operations in State territory and its necessary power to hear appeals, would still further infringe what was left of State sovereignty in the federated States. All this would be subsidiary to the complications of any projects which might find favour for furthering co-operation in the Empire as a whole by constitutional means. Finally, the mere trial of this scheme would set up a process in the constitutional sphere analogous to the doctrine of dynastic "lapse" which formerly so troubled the Princes. None would feel sure but that the pressure of, say, a great famine comparable to that of 1899 might not at any time force entry into the federation.

It is hardly surprising that the Simon Commission are not sanguine regarding the adoption of this federal scheme; and they put forward three suggestions for immediate adoption. These are: (1) the compilation of a list of subjects of common interest to British India and the States; (2) a general declaration in the Preamble to any new Government of India Act putting on record "the decision to develop that closer association between the Indian States and British India which is the motive force behind the discussions of an eventual Federal Union"; and (3) the creation of a permanent consultative council for Greater India to deliberate on the matters of common concern.

This last proposal is of course the main one, and in the permanence of the body suggested represents a notable departure from the *ad hoc* committees suggested by the Butler Committee. It is, as far as it goes, an excellent practical step in a definite direction, which *may* be the right direction. But what a little way it

goes ! One more organ of consultation—that is all. After the initial vista of federalism there is more than a hint of anti-climax. Nor is any proposal made for countering the persistent undermining of Chiefs' authority by Congress agents or sympathizers.

Yet assuredly there is a new wind of the spirit blowing in many Indian States. There are signs of it in the number of Princes who have set up Legislative Councils on a consultative basis. Their period of tutelage is definitely over. The striking change of policy, whereby the principle of isolation was abandoned and the Chamber of Princes created has worked a remarkable change in a few years. The formal deliberations of that Chamber are circumscribed, but its ante-chambers provide a neutral informal meeting-ground, where for the first time the Princes can achieve the reality of co-operation. The Simon Report itself breathes a new spirit of trust in the Princes. Like many other rulers in the modern world, the Princes are a little hesitant about the future. They have not yet quite got their bearings. Two things, however, are certain—that the Princes will co-operate increasingly, and that in their co-operation they are strong. Among Oriental monarchies several of them are already very strong indeed, and their strength is growing. It seems certain that no proposals will succeed in the long run which do not provide a *natural* line of development for the Indian States.

There seem to be two possible lines of development for the Indian States, namely, (a) in close association with British India, or (b) in a separate group or groups of their own.

The map of India is the best argument for Indian unity. The States and British India not only interlace inextricably, but are divided by frontiers which do not correspond with the racial, linguistic or religious affinities. Moreover, in postulating the ultimate unity of India on a federal basis, the Simon Commission are

but reading the lesson of the obvious economic facts. It may be that they are right. Nevertheless, it is quite possible to doubt gravely whether almost absolute rulers are really likely to find the most natural development for their States in close association with the type of politician that democracy and nationalism produce in the East. The high caste Hindoo Princes have naturally a religious repugnance for many politicians belonging to castes, association with which is precluded by their religion, but between almost all the Princes and the bulk of the politicians there is another psychological gulf of a kind such as only the East can produce. Moreover, any suggestion that the Princes would ever agree to association with an Indian-run British India except on terms of equality is really unthinkable.

But surely the other possible goal is at least worth consideration—that groups of the States should gradually develop towards an ultimate position as separate units of the Empire. That would, of course, rule out the dream of “Dominion status” for India, and “corridors to the sea” might have to be arranged as well as fiscal and railway conventions, but the result would be infinitely more in keeping with the traditions of the States. They would eventually obtain direct and separate representation on the Imperial Conference, they would perhaps achieve in the long run better economic results, and though it is clear that the representation of India on the Imperial Conference must always include some direct representation of the States, that representation would be freer, in a more dignified position and perhaps stronger if entirely separate. It would give them a better opportunity of arriving at understandings with Dominion statesmen, and they might also hold that it brought them into closer and less stereotyped association with the King-Emperor. These are weighty considerations to set in an oriental mind against possibilities of trade development and the logic of maps. Which line

of development will be followed no one can now say. It will depend on many future factors, some of them personal, which cannot be foreseen.

What will the Dominions make of it all? That is not easy to forecast in general, but certain probabilities suggest themselves. The Dominions have almost proverbially a fine fund of common sense, and the conception of a political principle the virtue of which consists in its generality and uncertainty is unlikely to commend itself to them. They will not be satisfied until paramountcy is made intelligible as, for example, it would be by limitation to "foreign relations and internal and external security and the prevention of gross oppression." At least it would then cease to be legally an unlimited reservoir of discretionary authority. Nor are they likely to be attracted by the spectacle of a party to a treaty being judge in its own cause. On the other hand, their antipathy to the principle of real and almost uncontrolled monarchical power would be certain to be at first very real. The personal contact, however, of Dominion statesmen with the Princes cannot but avail to reduce such antipathy rapidly. It has done so in some instances in the past. It will do so again. Dominion statesmen are rarely either fools or fanatical doctrinaires, and only such—once their doubts in the matter of oppression had been definitely set at rest, a consummation that would be more easily achieved in relation to some States and Princes than in relation to others—could remain impervious to the charm and majesty of many of these Princes who represent the venerable traditions of rulership of a civilization of immemorial antiquity, or the no less interesting traditions of that younger Mohammedan civilization which has been one of the most active practical forces that has ever troubled the spiritual serenity of the East.

Between the Princes of India and the peoples of the Dominions there is indeed a mighty gulf, which may

seem at first sight unbridgeable, for what can there be in common between the proudest aristocrats of the most aristocratical country in the world and the assertive equalitarianism of democracy in the Dominions? Must not the sympathy of the latter go out to the peoples rather than to the masters of the Indian States? Yes, undoubtedly—at first sight. Nevertheless, between the best examples of two diametrically contrasted politics there is often more in common than meets the eye at a first glance. It might surprise the more superficial type of Dominion journalist to learn that in the opinion of such an authority as Sir Walter Lawrence, the people of the Indian States are, on the whole, more contented than the people of British India where life is more regulated and less free. It is a statement the measure of truth in which has increased since the introduction of the “democratic” Montagu reforms in British India.

It might surprise such journalists still more to learn from their own statesmen that where the art of life is so different, and the accepted philosophy of existence so different, as is the case in the Dominions and the East, the art of government must be different also; yet such is the position. To the general public opinion of the Dominions such facts would come as a surprise. Yet the whole course of history in the Dominions has accustomed their people to surprises, and there is in all things a common-sense attitude in the Dominions which accepts facts frankly once they are proved or presented on trustworthy authority. There is no reason to suppose that—to take the extreme case again—even the less reputable of Dominion journalists would not accept from the lips of Dominion statesmen the facts about the Indian States and Princes, and Dominion opinion would follow its Press. They would accept the fact that the art of government is not easier, but infinitely more difficult, in an oriental than in a Western

land, that whereas in the latter the most difficult factor is the manipulation of mass psychology by means of catchwords, in the former he who would rule wisely must be a master of intrigue and have an insight not merely into the superficial whims and vanities of the mob, but into the deepest motives and wiliest scheming of oriental courtiers and priests. The Dominions would learn too with interest, that although the Hindoo Princes of India are in the caste system and of it, yet their position inevitably makes them a most powerful check upon several of its worst features in the sphere of government. Lastly, they would apprehend, at first no doubt with incredulity, but soon with increasing respect, that there is a kind of traditional philosophy of rulership in the East, which is in important particulars, and especially in times of calamity by flood or famine, the very reverse of oppressive ; and that in the history of kingly government in the East there are not many records which equal by Eastern standards, and very few which excel, the record of some of the Princes of India.

If the Dominions are to play the tremendous part in the world which is their due, they must first acquire one of the great indispensable qualifications by obtaining a knowledge of what is, after all, the largest, the most populous, and in civilization the oldest continent. They could have no better school than that of association with the principal Eastern rulers, and among these the Government of India and the Princes of India have pride of place.

## CHAPTER XXI

### MALAYA, BRUNEI, SARAWAK AND THE PROTECTORATES IN THE PACIFIC

"In a Malay village one may better realize the manner in which the forest hems in the cultivated area. The settlement is generally situated on the banks of a river. By the water's edge are the houses, built under the shade of fruit-trees, and behind them are the flat, irrigated padi-fields. On all sides this area is shut in by a dark heavy line that uprears itself, around and above it, like the walls of a prison. This line is the forest edge; and thence the forest spreads in every direction, miles upon miles, until some other village is reached; there it opens out again, and sweeping round the clearing, as a wave encircles some ocean rock, closes in again behind it and continues over mountains, over plains, until the sea is reached."

—From "In Malay Forests," by SIR GEORGE MAXWELL.

FROM Madras or Calcutta to Singapore is but a journey of a few days by P. & O., yet between the great sub-continent and the Malay Peninsula are contrasts greater than those which normally separate continents. India is, on the whole, a dry and treeless land: Malaya is a forest. India presents an almost infinite variety of peoples, climates and cultures. In comparison Malaya might be called uniform. The great rivers of India might be compared with those of Africa in size, in general behaviour and in their irrigation of thirsty lands: those of Malaya, whether angry little mountain streams or navigable rivers in the low country, make their way between towering walls of vegetation. In India Nature is cruel or sublime or infinitely lovely: in Malaya she is indeed always beautiful, but is often also uncanny. Where else in the world, for example, do fishes nest in trees? Capital enters India timidly,<sup>1</sup>

<sup>1</sup> That is, for investment in private enterprise. It has in the past poured into India for services under Government control.



producing steady economic development, but it pours into Malaya, producing an economic growth that can only be compared to Malaya's own "hot-house" vegetation, and which carries its own special problems. As Sir Hugh Clifford once wrote, what we are really attempting—

"is nothing less than to crush into twenty years the revolutions in facts and in ideas which, even in energetic Europe, six long centuries have been needed to accomplish. No one will, of course, be found to dispute that the strides made in our knowledge of the art of government, since the thirteenth century, are prodigious and vast, nor that the general condition of the people of Europe has been immensely improved since that day ; but, nevertheless, one cannot but sympathize with the Malays, who are suddenly and violently translated from the point to which they had attained in the natural development of their race, and are required to live up to the standards of a people who are six centuries in advance of them in national progress. If a plant is made to blossom or bear fruit three months before its time, it is regarded as a triumph of the gardener's art ; but what, then, are we to say of this huge moral-forcing system which we call 'Protection' ? Forced plants, we know, suffer in the process ; and the Malay, whose proper place is amidst the conditions of the thirteenth century, is apt to become morally weak and seedy, and to lose something of his robust self-respect, when he is forced to bear nineteenth-century fruit."<sup>1</sup>

These are the facts and the dangers, but there are also compensations. Mr. Ormsby Gore writes :

"The Government revenues of British Malaya—Colony and all Malay States—were roughly £20,000,000 last year. The overseas imports of British Malaya as a whole for the year 1926 were valued at £117,000,000 and the overseas exports at £147,000,000, both figures being exclusive of bullion and specie. These remarkable totals

<sup>1</sup> "In Court and Kampong,"—"The East Coast," p. 3.

exceed those of the total external trade of the whole of the rest of the Colonial dependencies put together. The value of exports per head of the population of British Malaya for the last two years has exceeded that of any other country in the world, and is higher even than the figure for New Zealand, which leads the self-governing Dominions in this respect."<sup>1</sup>

During the war Johore, one of the unfederated States, even achieved the extraordinary economic feat of becoming too prosperous! New enterprises simply had to be checked because they made impossible demands on the depleted British staff. The contrast with Indian penury is startling.

Yet great as these differences are, the biggest difference of all has not yet even been stated—the people are utterly different. The Malay race is one of the great distinctive divisions of mankind, and their corner of the world is psychologically, and in every other human matter, worlds removed from both India and China. In Southern Siam, in Sumatra or Borneo, no less than in the Malay Peninsula, the race presents similar characteristics, however different the conditions. They are not unattractive qualities. Intensely proud, dignified and polite, the Malay is at the same time cheerful and has a lively sense of humour. Appreciative of leisure, he can yet be industrious at his own times and in his own way. Religious without being fanatical; attached to the customs and institutions of his fathers, and standing upon the ancient ways in his own life, yet tolerant of innovations around him; shiftless perhaps, but a brave fighter, and having always something of the ruthlessness of the fighter and the quick temper of a high-mettled race, yet withal a loyal servant or a sincere friend, the Malay seems to belong to “a race of gentlemen.”

The essential problem of his Government is to protect

<sup>1</sup> Cmd. 3235, p. 21.

him from the too ruthless economic and other forces of the modern age. How fiercely those forces have beaten upon the Malay Peninsula is evident from the trade statistics quoted by Mr. Ormsby Gore. The problem of enabling the Malay to withstand or assimilate these forces might have been approached in one of three ways. Firstly, the Malay might have been, as it were, wrapped in cotton-wool and protected by the discouragement of rapid economic development in the Peninsula. That way would have lain stagnation and probably, sooner or later, a disastrously rapid development. That method was not tried. Secondly, there was the method, applied by the Dutch in their island colonies, of forcing the Malay to work. British influence was in Malaya at the express invitation of the Malay rulers, and such a policy enforced, say, by taxation as a spur, would have bordered on a breach of faith. The third policy, which was the one actually adopted, has three main elements, namely, (1) economic safeguards, (2) Chinese immigration, and (3) indirect rule.

(1) In the first place it has been sought to protect the Malay from the worst evils of rapid economic exploitation, while securing to him his share of its benefits. A good example of the working of this policy is the Malay Reservation Enactment of 1913, which sought to preserve the land for the Malay and to safeguard native property without greatly retarding economic development, and which succeeded wonderfully in these aims. In general Malaya has suffered surprisingly little from the promotion of over-capitalized companies. Another aspect of the same policy has been the gradual change of some native customs which were peculiarly dangerous when in economic contact with Western civilization. Forced labour and debt slavery were obvious targets of this policy, but how cautiously it was pressed appears from the fact that debt slavery, which had been abolished in Selangor, Negri Sembilan and Perak by

1884, lingered until 1906 in Pahang. Among many other examples of the policy must be mentioned the excellent reform of converting unpaid headmen, living on extortion, into salaried, responsible officials.

(2) If Malaya was to be developed—and the Malays would not develop it—the only thing to do was to allow others to do so. Accordingly, while the Malay has cultivated his padi-fields and fished his rivers, British enterprise and immigrant Chinese have built up, with some assistance from Indian coolie labour, the great tin and rubber industries, many minor industries, and an infinite variety of commercial and shopkeeping enterprises. The Chinese are, of course, an unassimilable element in the population, and there are dangers in the fact that coming from Southern China, they tend to sympathize with the nationalism of Southern China. Government proceeds, and must proceed, on the basis that the Chinese are foreigners in a Malay land and liable to be deported if they cause serious trouble. This doctrine has been exceedingly useful in preventing revolutionary trouble, and in general the Chinese are admirable citizens. Their interests are the special care of the Chinese Protectorate, a department of Government which finds plenty of scope for activity in protecting Chinese girls and in countering revolutionary agitation organized from Russia. How long it will be before the Chinese make vigorous demands for the Government of a country in which they are rapidly attaining numerical predominance cannot be foreseen. Some conceive that a policy of forcing the Malay to work would have been, in the long run, the kinder policy to his race. It remains to be seen. Nor must it be forgotten, in considering the ultimate result, that the Malay is a fighting man.

(3) But it is the policy of indirect rule that constitutes the real success of British Malayan policy. Its precise scope may be gathered from the following table :

The Colony of the Straits Settlements	Penang and Pro- vince Wellesley The Dindings Malacca Singapore Labuan Christmas Island	British governed	British territory.
The Federated Malay States	Perak Selangor Negri Sembilan Pahang	British pro- tected and administered	Malay territory.
The Unfeder- ated Malay States	Kedah Kelantan Trengganu Johore Perlis Brunei (in Borneo)	British pro- tected and advised	Malay territory.

From this it will be seen that the policy of indirect rule does not apply to the first group, which is a colony. Leaving out Brunei for the moment, the policy itself is radically different in the federated and unfederated States. In the former the power of the Malay rulers is as a rule little more than nominal. Except in the sphere of Mohammedan law and custom, the government is in all essential facts British government conducted by British officials directly, but in the name of the native rulers and in consultation with them, a consultation which becomes a very real consultation where a ruler displays active interest. In the unfederated Malay States, the decisions are equally British decisions, but the work is conducted *through*, instead of in the name of, the native rulers, who consequently exercise a considerable influence. The spirit is here the true spirit of "advising," and the State Councils are bodies exercising some real power. The nearest analogy, though an incomplete one, would be that of the Emirs of Northern Nigeria. The essential difference is that whereas the Emirs are trained rulers fitted into the framework of government as important parts of that framework, the native rulers of the un-

federated States are in all respects the rulers, but are under strict control.

Of the general effect and position of the Malay rulers Mr. Ormsby Gore gives a very able summary, which could not possibly be bettered, and of which the following paragraphs are the most important :

“ It must always be remembered that British influence became established in the Malay States—federated as well as unfederated—not as the result of conquest or aggression, but at the invitation of the rulers of these several States, who realized that the ancient system of administration that had sufficed the Malay people had broken down in the face of nineteenth- and twentieth-century world conditions, and especially owing to the influx of large numbers of other races. Our position in every State rests on solemn treaty obligations, and, however great the changes may appear to have been since the dates when they were made, these changes have not in any way modified the fundamental status of these countries. They were, they are, and they must remain, ‘ Malay ’ States, and the primary object of our share in the administration of these countries must always be the progress of the indigenous Malay inhabitants at the invitation of whose forefathers we first assumed responsibilities. The States were, when our co-operation in government was invited, Mohammedan monarchies, and such they are to-day. We have neither the right nor the desire to vary this system of government, or to alter the type of constitution or administration that now obtains. It is important that this should be made clear in regard to the federated as well as the unfederated States. In the former the mere fact of federation, the great economic development that has taken place and the recent immigration of so many non-Malays have all tended to make British administration appear, to say the least of it, to be more direct than in the unfederated States. In the latter the Malay rulers and chiefs have still a more definite responsibility and share in the government of their countries than is altogether practicable in the Federation. The

unfederated States are more analogous to the Emirates of Northern Nigeria, where British influence has advisedly been 'indirect' in its application. There can be no going back on the *fait accompli* that federation, now over thirty years old, has brought about in the four central States, but I cannot help expressing the view that the spirit and intention of our policy in Malaya has been carried out both more simply and more completely in the unfederated States. It is a purely personal view, but I should hope that the unfederated States will continue as individual entities for a very long time yet. I see no practical or political necessity for urging any of them to enter the Federation. From what I could gather, neither of the most developed of the unfederated States, viz. Johore and Kedah, desire any change in their present status or regard the idea of even ultimate federation with any enthusiasm. Inside the Federation recent efforts of Government have been aimed at decentralization rather than centralization.

"It is essential that we should bear in mind that the Malay people are still strongly bound by ties of sentiment and tradition and by religious feeling to the ruling dynasties of the States. The Malay Sultans are the heads of the national religion in each State, and the traditional protectors of Malay custom which is so dearly cherished in the manners and life of all classes of Malays. The Courts of the Sultans and Rajahs maintain a measure of dignity and colour loved by the masses.

"Equally we should remember that, if the people have a deep attachment to their own hereditary rulers, so too the Sultans themselves have always displayed a sincere affection and loyalty towards the British Crown. They have never failed to respond to the Empire's call in defence, whether local or world-wide. It is to the Malay rulers, their personal influence and that of their chiefs that we owed H.M.S. *Malaya* and the more recent generous contribution towards the naval base at Singapore."<sup>1</sup>

The extraordinary success of the policy of indirect

<sup>1</sup> Cmd. 3235, pp. 17-18.

rule in the Malay Peninsula is the universal theme of all who have studied it.

A slightly different policy is followed in Brunei, with which and with Sarawak, treaties were originally concluded at a time when the official view of the nature of protectorates was that they were confined to the control of external relations. This is still the case with Sarawak, which is thus an independent State ruled by an Englishman (the Crown in this case having waived by implication its rights<sup>1</sup>) and protected by Great Britain, but Brunei now approximates to the position of the other unfederated Malay States. The State of North Borneo is administered by a Governor on behalf of a Chartered Company. It is a protected State.

Indirect rule has also been tried in various parts of the Pacific. The encouragement of native rulers has been an old policy to correct the effects of "detribalization" in the Australian Territory of Papua, and it is now applied in the Australian Mandated Territory of New Guinea. Success is claimed for it in both, as also in the Gilbert and Ellice Islands Protectorate, and notable success in the Protected Tonga Islands Kingdom. It has been regarded as a failure in Fiji, probably because the break with native tradition had already gone too far. In Western Samoa the New Zealand Government has pursued an altruistic and benevolent policy, but its efforts to civilize too rapidly, and some obscure psychological questions, perhaps mainly questions of dignity, have provoked discontent which has been fomented by certain local interests.

In general the problem of adapting the races of the Pacific to the needs of contact with Western civilization presents deep psychological difficulties. It is possible that indirect rule is the key to the problem where detribalization has not gone too far. But it needs to assume forms adapted in each case to local traditions

<sup>1</sup> Sir Anton Bertram, "The Colonial Service," p. 237.



and psychology. It is in any case always better than the principle of "democratic" oligarchy. Where tribal tradition enjoins democracy it is as a rule genuine democracy, all taking part. Where it enjoins oligarchy it is usually an oligarchy of the old, but here trusteeship must watch carefully against oppression. Where tribal custom prescribes the apparently absolute rulership of an individual, it often subjects him in indirect ways to public opinion. Here also, however, care is needed.

From the Indian States to the Malay States and the Pacific Protectorates is a far cry, and the practical application of the principle of indirect rule reveals it as a very different principle in the three areas. In the Indian States it is an admirable principle marred by want of definition. In the Malay States, whether really or only nominally indirect, it becomes a different and far more active principle of interference and control, but a principle which admirably shields the native race from the worst effects of an extraordinary economic development. In the Pacific it is a principle sometimes successfully and sometimes impotently struggling to perform the difficult task of saving from destruction native races which seem peculiarly unfitted to survive in the modern world. Adapted to the more violent stresses and hazards of war, they are but ill-adapted to commerce. It is hardly possible to apply to them a "cotton-wool" policy of isolation from the world, so that their hope lies in a principle that preserves all that it is possible to preserve of those native ways which may add a zest to their life. It is this pre-eminent need to save and preserve which gives its special character to the applications of indirect rule in the Pacific. Where that particular need is present in only a lesser degree, but the races are otherwise "grown-up children," we approach the conditions of Africa.

## PART V. INDIRECT RULE IN AFRICA

### CHAPTER XXII

#### THE THEORY OF INDIRECT RULE IN AFRICA

"My good friend." These words, which are the opening words of communications to chiefs in the Gold Coast, typify the spirit of indirect rule in British Protectorates in Africa. With certain exceptions in Uganda, Zanzibar and the Protectorates under the High Commissioner in South Africa, the indirect rule which is applied in Africa is almost all of the special kind (as opposed to the general principle operating in all Protectorates) which was first elaborated by Lord Lugard in Northern Nigeria. Like the general principle itself, it is an extremely variable and adaptable principle, but everywhere its three cardinal principles and the general reason for its application are the same.

Its three essential principles are the maintenance (1) of a native ruler or paramount chief; (2) of native courts; and (3) of a native treasury. The universal reason for its adoption is the desire to stop the degeneration of native life which follows detribalization. The system has been applied very actively in Northern Nigeria, rather less actively in Southern Nigeria and the Gold Coast, actively and enthusiastically but under difficulties in Tanganyika, partially and cautiously under still greater difficulties in Sierra Leone, the Gambia and the Southern Sudan, hardly at all in Somaliland. But it is in Northern Nigeria that its operation may be studied in its purest form. It is necessary, however, to take a brief preliminary glance at the general history of North

Africa, for only thus can the traditions and pride in the past be understood, which it has been the special object of indirect rule to preserve and foster in Nigeria.

From the first consolidation which followed the expansion of Islam, to the Crusades, that is, roughly, throughout the ninth and tenth centuries, the power, culture and civilization of the Mohammedan world were supreme. Contemporary Europe was sunk in a barbarism that was but little relieved by the decaying splendours of the Byzantine Empire. In that age missionaries carried the creed of the prophet across the Sahara and established it among the dwellers in the great Savannah lands which everywhere divide the Southern Sahara from the forest belt. In these and the succeeding centuries the Western Sudan was considerably more civilized than Europe. By three great routes across the Sahara from north to south and by one from the east, learning and the arts of war and of peace poured into the Sudan. With the gradual decline of the Moslem power in Spain and the rise of Morocco that process continued, learned men flocking from Cordova to the great Sankore University at Timbuktu, and later, after the sack of Baghdad by the Tartars, entering the Sudan by the Eastern route. Accounts of the Sankore University in the fifteenth and sixteenth centuries mention long lists of learned men, one of whom even amassed a library of 700 volumes. Meanwhile two great empires arose, that of Melle in the west and that of Kanem in the east. The former gave place to the still greater Empire of Songhay and the latter to that of Bornu, and for a long period there was peace and prosperity in the Sudan.

Then at the end of the sixteenth century came a quarrel between Morocco and Songhay over the salt mines of Tegazza, the destruction of the Songhay Empire, and the compulsory removal of all its learned men to Morocco. Thereafter, for three centuries, the

Western Sudan was plunged in war and barbarism and closed to the outer world, save where the remnant of its civilization was preserved in Bornu and kept in touch with the surrounding world by the eastern route.

Not till late in the nineteenth century was the curtain again drawn, and it then revealed a very different sight—a welter of tribal wars, slave-raiding and misery. A jihad or holy war had carried the people known as the Fulani into rulership over all the north-western and central portion of what is now Nigeria, but their rulership had become utterly corrupt and enfeebled. Bornu had still maintained its independence, as did also various kingdoms in the south, but all the States had acquired various reputations, legends and traditions, some proud and warlike, some religious, some almost saga-like in the personal stories involved.

Lord Lugard found the Mohammedan Empire of the Fulani in a tottering state of the most appalling corruption and decay, but instead of destroying it, he made it the basis of a great system of indirect rule. He purified it, strengthened it, and made it what is generally regarded as an almost ideal instrument of Government for the country in which it operates. For savagery and war there was substituted peace and rapid economic development. Instead of cruel tyrants extorting ruthlessly all that they could from their people, and themselves preyed on by a multitude of middlemen, there were soon to be seen dignified and loyal rulers content in the enjoyment of ample and regular but fixed emoluments; and under them contented subjects.

The Emirs were regarded as conquered or submitted rulers, not as rulers in treaty relations with the Crown. They were assigned under supervision positions of immense power and authority in the administrative and judicial fields, including in some cases the power of life and death, but legislation was reserved to the Governor. Their prestige and authority were firmly maintained, but

their financial and judicial work was checked and supervised by the Residents, who were given concurrent jurisdiction and were empowered to transfer to their own Courts any work which seemed beyond the capacity of any particular Emir. By this means power could be tempered to the abilities of each ruler. The system is generally held to have worked extremely well, though it has its critics. The provision of native treasuries and the judicial power of the Emirs ensure its reality and educate both the Emirs and their people in government.

Amazing economic prosperity has followed, which has been watched carefully by British officials so as to ward off from the native the worst effects of the inevitable fluctuations, while securing him in the enjoyment of the means to develop on his own lines. Railways now traverse Nigeria ; and there are motor-boats as well as canoes on its rivers, motors on its roads and just judges available to its villages, in which the prison has replaced the incredible torture-houses of the old regime ; yet the people dance their old dances and sing their old songs and make new ones on the old lines, and under the nodding plumes of the bodyguard of the Emir of Kano you may still see the chain armour which tradition declares to have been originally captured from Crusaders.

It is on its successful preservation of native customs and traditions and local pride and consequent avoidance of all the degenerate evils which follow rapid detribalization that the system rests its special claim. These traditions, legal and otherwise, are very varied and, taking the Emirates as a whole, very numerous. Three examples must suffice.

The Emir of Sokoto is not only *primus inter pares* of the Nigerian Emirs, but now that the Sultans of Turkey have disappeared, he is the only potentate in the world who shares with the Sultan of Morocco such lingering traditions of the ancient Caliphs of Baghdad and Cordova, as are still associated with the title of

"Emir el Moumenein"—Commander of the Faithful.<sup>1</sup>

Through all the earlier period of the great Empires and throughout the three hundred years of blood and conquest which followed, the gallant little State of Borgu in the Province of Ilorin claims to have remained unconquered, and preserves the legend of its founder who symbolized his partial conversion to Islam by prostrating himself twice, in honour of the Prophet, but no more, and who instead of doing so the third time mounted his horse. "Every year this scene is enacted when Sarkin Bussa, supported by his relations and following, ceremoniously and reluctantly prostrates himself twice, then mounts his horse and with his spear in his hand shouts to the beat of war-drums his challenge to the Prophet."<sup>2</sup>

The third example is a ceremony in Bornu, which was described in an article in *The Times* on April 18th, 1929. Referring incidentally to the interesting Ethiopian and Nilotic but Mohammedan civilization of that Kingdom, the article suggested that this might be considered the only direct cultural survival in the modern world of any branch or offshoot of the civilization of ancient Egypt. After describing the capital of Bornu, the palace, the aged ruler, the nobility as they appeared at the ceremony, and the ceremony itself, the article concluded :

"As we look into faces eloquent of pride, pleasure, and respect for the place, the occasion, and the person of the aged ruler, we realize that among such people as these, enjoying without fear of suppression or confiscation the security both of the arm of Great Britain, and of their own long-cherished customs and political institutions, there is truly found the ideal of a country 'not able in these days to stand by itself.' Such a country is in the happiest manner 'protected,' but 'protected' not so much from the world in general or other nations' rival claims and demands as from the too ruthless hands of an iconoclastic age.

<sup>1</sup> Cmd. 2744 (1926), p. 15.

<sup>2</sup> "The Muhammadan Emirates of Nigeria," by S. J. Hogben, p. 165.

"Bornu survives to-day as a country which is fast becoming wealthy and renewing its ancient national life and prestige among the peoples of the Sudan under British protection and stimulus. It survives, moreover, as an embodiment of a civilization which farther East is now but dimly traceable in the pages of the historian and archaeologist; a civilization which, to a large extent, first under Egyptian and then under Christian influences, penetrated the whole of the Eastern Sudan and held it for some centuries till the flood of Islam over Africa, with its legendary heroes like Abu Zeid al Hilali, drove the Berber civilization into the rocks and deserts of the Sahara, and replaced the nascent Christian influences by the sterner tenets of Islam.

"That is all 'far away,' as wrote a Bornu writer in the sixteenth century. Nevertheless, in the Kanuri nation of to-day the old Ethiopian world lives on, proud of itself, proud of its past, and regarding its European protectors, generally speaking, not as men of a different colour and different genus, but as friends to be treated as gentlemen. 'Owing to a political accident,' thinks the Shehu, 'you happen to have been sent by God, first to rescue Bornu from the devastation brought by Habeh Zubeir, and secondly, to work, under the directions of His Majesty the King of England, for the renewal and regeneration of the glory of our ancient Kingdom.'

"The harnessing of these powerful emotions to the chariot of Empire is called, in the official language of the Colonial Office, 'Indirect Rule.'"

Northern Nigeria has been treated at some length, as it is the political laboratory in which this variety of indirect rule was first devised. Its gradual application in Yorubaland has gone far, and already vigorous efforts are being made to apply it in "that African Bengal," South-Eastern Nigeria. Here, however, the village basis of the original native organization is a great difficulty, and first attempts to apply the principle of native treasures have been resented and have led to considerable local trouble.

In the Gold Coast the system works in a different "atmosphere." There the original tribal institutions were small and exceedingly democratic, the power of each chief (Ohene) and head chief (Oman-ohene) being strictly circumscribed and limited by various councils of elders and by a recognized procedure for his deposition in certain circumstances. Before the establishment of the *Pax Britannica* "these little States were in a condition of almost perpetual warfare with each other, and the only periods during which any considerable section of the inhabitants enjoyed anything like permanent security, improved administration and the beginnings of the opportunity to practise and develop arts and crafts and culture in general were the periods in which a State, or group of States, such as the Ashanti confederation, deserted the deeply rooted democratic principles of the land and, in a manner strangely similar to that in which the Roman Empire was evolved from the Roman Republic, built up absolutism on the familiar forms of popular government."<sup>1</sup>

British policy has been exceedingly solicitous to cherish every native institution and custom in the Gold Coast which might help to preserve tribal life through the stress of the economic revolution produced by cocoa; but this policy was applied until recently in a shortsighted way that contrasted rather unfavourably with Nigerian policy. In Nigeria it was realized that the preservation of native institutions was the only alternative to widespread detribalization and consequent demoralization, and the logical consequences of the policy were frankly accepted. It was seen that native respect for the native authorities was the essential basis of the system, and everything possible was done to increase this respect, including the grant of large financial and judicial powers to these authorities. The system was clearly designed to increase and continue

<sup>1</sup> C. W. Welman in the West African number of *The Times*.



increasing their powers and prestige as well as their efficiency. But on the Gold Coast the aim was much more conservative—to avoid detribalization at any cost by preserving all native institutions merely as they were and without attempting to promote their development. The result was that the head chiefs were left subject to all the democratic restraints and expenses entailed by tribal custom, but—since the British Government assumed responsibility for defence and for capital punishment—without the armed forces and judicial powers which those other powers were intended to check. The head chiefs were left without proper means of enforcing their authority over the subordinate chiefs. Naturally that authority waned and so emasculated the whole system. In particular, there was no means of settling the endless disputes about land boundaries without recourse to costly litigation. In the result the power of the head chiefs declined, they were embarrassed for money, and the resulting levies bore hardly on the poorest Africans.

Rather belatedly Gold Coast policy is turning towards the Nigerian system and is seeking to strengthen the prestige and power of the native rulers. It cannot, of course, adopt the whole of the Nigerian system, as the basic position of the Gold Coast rulers more nearly resembles that of allies than of officials of the Crown.

In Tanganyika the full Nigerian creed is being enthusiastically applied, but the German legacy of detribalization and the low initial organization of some tribes limit the pace in many districts. Both here and in Northern Nigeria great reliance is being placed on the effects of education on the rising generation of chiefs. The School for Chiefs at Tabora has evoked notable encomiums from educationists.

The Kingdom of Buganda, which covers some 20,000 square miles and, with the principalities of Ankole, Toro and Bunyoro, forms an important part of the

Protectorate of Uganda, represents an older form of indirect rule in which there are large powers of internal self-government. The Kabaka (king) of Buganda presides over an elaborate hierarchy of chiefs, who in effect constitute a native civil service, and the whole system resembles some Eastern Protectorates rather than the Nigerian system. With British advice the country has adapted itself to its "cotton revolution," and is actively tackling its supreme medical problem—widespread venereal disease. The tillage and freehold tenure in operation here facilitate the general policy which is being followed where practicable in East Africa, of discouraging communal tenure and pastoral husbandry.

In connection with the general position of indirect rule in East Africa the following paragraph of the Hilton Young Report may be quoted :

"An examination of the extent to which native administrations have in practice been developed in the territories of Eastern and Central Africa reveals striking differences between them. Whereas in Uganda and Tanganyika native administrations with judicial as well as executive powers have been set up, the native authorities in Kenya, Nyasaland, and Northern Rhodesia (except in Barotseland) have no judicial functions. This is a most significant difference, for experience seems to indicate that if the traditional power of a chief to control and punish his people is retained it is more likely that the native administration will be made effective. It appears to be important therefore that these administrations should have their own native courts."<sup>1</sup>

Of the general position of the Protectorates of Bechuanaland and Swaziland, and of Basutoland, it must suffice to say that they have large internal powers of self-government; that they are in general contented, but are deeply apprehensive of transfer from the Imperial Parliament to the Union of South Africa;

<sup>1</sup> Cmd. 3234 (1929), p. 76.

and that since their relations, like those of the Indian Princes, are with the Crown, the principle laid down by the Butler Committee and endorsed by the Simon Commission that the Indian States should not be transferred without their own consent to a new Government responsible to electors in British India, should preclude these South African territories from being similarly transferred to the Union of South Africa. Transfer to the Imperial Conference would be another matter, and should prove, in effect, a new charter enabling them to resist incorporation in the Union.

Passing over the position of the native authorities in the Union itself and its mandated territory of South-West Africa, in the Gambia and Sierra Leone, and in the primitive pastoral conditions of the Southern Sudan and Somaliland, in most of which (except the first) the dangers of detribalization are generally less urgent and the progress achieved by government is more frequently attained directly than through the operation of any significant phase of indirect rule, we come to "the outpost of the East in Africa," the Protectorate of Zanzibar. This follows generally the orthodox Eastern type represented, for example, by Brunei, and works well. There is great danger—in view of the enterprising experiments of many tropical countries with new crops—in the over-concentration of Zanzibar on cloves, a position which Dominion advice would be likely to discourage. World over-production of cloves would bring ruin upon Zanzibar.

For all its Arab flavour and African setting, Zanzibar is essentially oriental. In spirit, as well as in trade, the spice islands look to the East, and the attitude of the Dominions to Eastern Protectorates would be likely to reproduce itself here. In what light would the Dominions be likely to regard the principle of indirect rule as it is being evolved in Africa in association with that form of trusteeship known as the Dual Mandate ?

## CHAPTER XXIII

### THE DOMINIONS AND INDIRECT RULE IN AFRICA. THE FUTURE OF PROTECTORATES AND OF EGYPT

THE attitude of the Dominions to the principle of indirect rule in Africa is likely to be at first one of reserve. They could not but feel that they had to deal with a technical and specialized development of the art of government, and they would be likely to interfere little at first. That would give them time to appreciate its value and to contrast it with that of "democratic" oligarchy. It seems likely that their judgment would be that of all ordinary impartial judges who have considered the matter and would be favourable. One aspect, however, would be likely to appeal to them as of particular interest. They would note the unexceptionable objects of immediate policy, but they would note an absence of clear statement as to the ultimate future of these African Dependencies. Is it possible to make any such statement?

By a process of elimination it would appear that there are only two possible futures before such Dependencies, namely, independence and grouped representation on the Imperial Conference. The former is suggested as a possible future for the A class Mandates. It is therefore at least conceivable for the Mandates and Protectorates of Middle Africa. It is little more, however. In a world of fierce rivalries between larger and larger economic units, the future of small political units becomes more and more problematical.

The other possibility is the obvious one. West Africa, either as a group, or less satisfactorily by rotation,

would ultimately look forward to representation on the Imperial Conference. How soon that would come would depend on many circumstances, not the least important of which would be the general progress of West Africa, including its progress towards unity, and the analogy of India. East Africa, of course, on account of the more rapid policy of development which "white" civilization involves, would look forward to early representation.

Is it really possible to conceive of any other safe future for Egypt? The interests of the British Empire in Egypt are absolutely vital and the separate admission of Egypt to the League of Nations would only be possible on the basis of an Anglo-Egyptian Treaty which would still leave Egypt substantially in its present position. That position is not easy to define in words. Egypt is quite clearly not a protectorate. There is no legislation for it by Order in Council. Yet its position approximates far more closely to that than to the position of a merely externally protected State. Egypt has been granted sovereign independence subject to the British reservation of four subjects, namely: (1) the security of the communications of the British Empire—which includes the air routes to the south and east as well as the Suez Canal; (2) the defence of Egypt against all foreign aggression or interference; (3) the protection of foreign interests in Egypt and of minorities; and (4) British control of the Sudan. It may be observed that under any such doctrine of "usage" as the Butler Committee follow in India these points could be made to imply enormous powers of internal control.

Without having recourse to that doctrine, surely a rough but fair statement of the position is to say that Egypt has the status and position of a self-governing British Dominion, but with a separate Crown, and with certain special reservations of power to the Imperial Parliament. If Egypt is a Dominion in fact, why

should it not become one also in name by being summoned to the Imperial Conference?

The answer, presumably, is that the future of Egypt depends on the future Anglo-Egyptian Treaty for which negotiations have been in progress from time to time during the past decade, and that the whole tendency of the negotiations of the various draft treaties has been towards greater Egyptian independence rather than towards closer association with the Empire.

Such closer association, however, may come about at any time and in the form of a re-declaration of a Protectorate, if there should occur—as there are liable to occur—widespread losses of foreign life and property, for which the British Government is trustee. From an Egyptian nationalist point of view, representation on the Imperial Conference should be preferable.

If, however, a treaty is concluded, and Egypt is also admitted to the League of Nations, its status will then be the same as that of similarly admitted mandated territories. Irak, for instance, while technically not a mandated territory, but one in which Great Britain holds mandatory responsibilities, is to be admitted to the League, but its position will be regulated by a treaty very similar in important provisions to the kind of treaty for which it will be necessary to stipulate in Egypt.

This raises the whole question of the future of the mandates, but this can best be considered after noting some practical difficulties in their present system of administration.

## PART VI. THE MANDATES

### CHAPTER XXIV

#### DEFECTS OF THE MANDATORY SYSTEM. FUTURE OF THE BRITISH MANDATES

It is not proposed to attempt here a general outline of the mandatory system of the League of Nations, much less to enter on the numerous involved disputes (such as that relating to sovereignty in the areas under the various classes of mandates) to which the system has given rise. The system and its intricacies are a happy hunting ground for university students desirous of finding suitable thesis subjects for higher degrees, and already supports a formidable descriptive and theoretical literature, to which those interested may be referred. But there are two standpoints from which the system is less commonly approached, namely, that of the practical problems of administration and that of the ultimate future of the mandated areas. Both are germane to the general subject of these pages, and while space must preclude any attempt to discuss either thoroughly, it is at least necessary to illustrate the kind of question which they raise in relation to the general argument.

From a practical point of view, then, the advantages and some of the disadvantages of the system centre in its supervision by the Permanent Mandates Commission of the League of Nations. This Commission includes men like Lord Lugard, with enormous experience of Colonial administration, and their advice has been of real value to every mandatory. In relation to the

administration of backward countries, the unlimited inquisitorial powers which the Commission wield are important. The publicity attaching to the reports exhibits statistically the exact progress achieved by each mandatory in every field of native welfare and of economic development, and is a valuable stimulus to all. The Commission can exercise an enormous amount of indirect pressure upon a mandatory by means of its almost unlimited powers of interrogation and also by its power to give or withhold its moral support. The former power chiefly derives from the expert knowledge of Colonial administration possessed by the members of the Commission. In relation to native welfare, one practical result has been to force backward administrations to attempt something more nearly approaching the British level, and this has had a kind of general educative effect on the non-mandated administration of those mandatories. The system has in this way been of indirect as well as direct benefit to backward races, and has also benefited Great Britain by its tendency to force her competitors to conform more nearly to her standards of humanity and to exploit their Colonies less rigorously. The policy of the "open door" in mandated territories has also been of practical value to countries not possessing tropical Dependencies, and in general to the smaller countries by facilitating their acquisition of tropical products.

Against such advantages must be set grave practical disadvantages. The amount of unavoidable office work is already the curse of tropical administration, without inflicting upon it the literary demands of the Mandates Commission. Such demands involve the keeping of many unnecessary records, and they have a serious effect in increasing the cumbrousness and expense of administration and in decreasing certain sorts of local effort. In exactly the same way that the possibility of Parliamentary questions inflicts upon



Government Departments what in a private business would be regarded as an uneconomic system of discussion by minuting, so the League system in backward countries discourages the very type of administration which is most needed, namely, quick handling of problems on the spot and expeditious action, and substitutes "window-dressing"; and the volume of office work which it necessitates militates against that patience, and against the performance of just those little actions which endear an administrator to backward peoples. It leaves him less leisure for those valuable unofficial contacts with his charge which are the salt of administrative efficiency.

Further, an unreal and artificial character is given to all such reports by the very unsatisfactory character of the supervision exercised by the Commission. For a body exercising the real powers which have been described, it is singularly ill provided with official information. It has no real means of checking the accuracy of the Mandatory Reports. It cannot visit the countries concerned, as that would prejudice the prestige of the mandatories, or hear petitions criticizing the mandates themselves (which may be the real source of trouble, as in Palestine) or hear any petitions in person. Even a Colonial Office, with all its personal day-to-day contacts in the course of government, has to send out officials from time to time to conduct local inquiries on the spot, but the Mandates Commission are debarred from this. Another grave disability under which the Commission labour arises from the fact that, in general the League of Nations itself has no direct contact with the Mandatory Administrations, except through the Mandatory Powers. But the information which the Commission cannot acquire openly and officially they do in fact acquire through the Mandates Section of the League Secretariat, which is the Permanent Secretariat to the Commission and receives all sorts of

printed matter about the mandates, such as petitions, statements by the Anti-Slavery and Aborigines Protection Society, etc., etc. Where statements in these documents conflict with those of the mandatory, the Commission is helpless. The whole position is, in fact, anomalous.

In yet another way the demands of the Commission operate to the disadvantage of administration. They insist, where at all possible, on the maintenance of the mandated territories as statistical units. This may be of grave disadvantage to the territories themselves by separating them from areas in which they should be merged.

The "international" character of the mandates causes other difficulties. The "open door" hinders those monopolies in return for which backward lands often receive the most valuable revenues for their advancement. The military prohibitions deny to the inhabitants of mandated territories opportunities of serving in regiments which are required for the defence of larger areas, such as East Africa as a whole, and thus diminish the opportunities for spreading that most valuable form of education in personal health and in sanitation which backward countries derive from the presence of discharged soldiers. These territories must also miss privileges accruing from treaties containing military clauses. They are debarred from the advantages of customs unions with the countries controlling them and indeed of almost all the immediate advantages of free fiscal bargaining,<sup>1</sup> and from the important means of regulating and controlling their own industrial and commercial development which, through such bargaining, wise tariff systems could give them. There are also countless minor disadvantages. For example, a most difficult question is raised as to what form of patriotism

<sup>1</sup> There are exceptions, e.g. fiscal agreements between certain of the A class Mandated Areas.

is to be taught in the schools. Is it to be patriotism directed to the tribe alone, or to the mandated area, or to the mandatory, or to the League of Nations? In practice the children are often left either with a mass of confused and conflicting loyalties such as form no incentive to public spirit, or else with enhanced racial or religious community feelings, such as are little calculated to promote peace and harmony in countries like Palestine.

But the worst evils of all have yet to be stated. There is no real guarantee of permanence in the mandates. Over all of them there hangs the shadow of the unknown. Tanganyika needs the very best settlers that England can supply, but who is going to settle there amid a largely German white population, if there is even a remote possibility that by some bargain struck in the purlieus of Geneva the territory may be restored to German control? This uncertainty extends not merely to the general future of the mandates, but to all manner of commercial and legal questions which are left in doubt. As a result permanent and far-sighted capital is discouraged from attempting substantial enterprises in the development of the territories, and only such capital is likely to be attracted as will care nothing for the permanent good of the land and its inhabitants, but will be concerned only to exhaust rapidly the immediately available resources. This is hardly the most desirable form of capital for backward countries, but it is all that the mandated territories can expect until their future has been more definitely settled. In some cases the uncertainty is so great that they cannot get even this form of capital. Irak is in desperate need of capital, especially for irrigation and health services.

The contrast between the ordinary Englishman's attitude to Nigeria and to Tanganyika is significant. He may not be very familiar with Nigeria. He may

even have confused, for example, the position of the Northern Emirs, either with that of the sovereign Princes of India on the one hand, or with that of the chiefs in the Protectorate of Sierra Leone on the other. He may never even have heard of Bornu. But he does know that Nigeria is a vast British Dependency which is rapidly progressing and which may yet play a part of tremendous importance in the economy and development of the Empire. As likely as not, some friend of his will have a son in one of the Nigerian services. Tanganyika, by contrast, would be a vague and dubious "area." If he himself thought of settling in Africa he would think first of Kenya or Rhodesia or the Union. He would hardly think of Tanganyika. If he did, it would be with great doubt and circumspection. How long would the mandate last, he would ask. No one could tell him.

What ought that future to be is a question of some importance, for the League mandates as a whole cover an area approximately two-thirds the size of Europe and have a population of some 20,000,000. One thing seems certain—that the present illogical mandatory system is not immortal. It is still having an excellent psychological and educative effect on the world by providing the spectacle of an important international body genuinely inspired by, and acting up to, the spirit of Article 22 of the Covenant. But it is only a question of time, and perhaps of a very short time, before the logic of the industrial development of the world, which is increasingly following a tendency to the segregation of areas, forces a rationalization of the mandatory system. The longer such a general change is postponed the greater the dislocation of native life that will be involved in the necessary changes of policy, and the longer must these potentially rich countries suffer from the financial and other disabilities which are inseparable from uncertainty of outlook. In a word, the change is inevitable, and the sooner it takes place the better.

When it does take place what should become of the British Mandates? Taking first those of the C class, the obvious future would seem to be, at first sight, incorporation in the territories of the Dominions administering them, that is, Western Samoa going permanently to New Zealand, New Guinea to Australia, and South-West Africa to the Union of South Africa. A better alternative would be that they should come under the Imperial Conference if the Dominions concerned would agree to that course, but the really important thing would be to secure a definite and permanent settlement of their future. Nauru might perhaps continue to be run as at present. The B Mandates (Tanganyika, the Cameroons and Togoland) should find their future in association with East and West Africa. The three A Mandates are perhaps more doubtful, but the remarks made on Egypt would appear to apply to Irak with equal force, or at least to the group of territories to which it belongs when they shall have achieved some friendly contact. Rotational (and perhaps later grouped) representation of Irak with Palestine and Transjordan on the Imperial Conference should not be impossible. Such representation is all the more imperative inasmuch as the policy of Zionism in Palestine is infuriating the whole Muslim world. This, however, deserves a chapter to itself.

## CHAPTER XXV

### THE AMBIGUITY OF ZIONISM. ITS DANGEROUS REACTIONS ON THE WORLD OF ISLAM

"To recapitulate, the Arab people of Palestine are to-day united in their demand for representative government. This unity of purpose may weaken, but it is liable to be revived in full force by any large issue which involves racial interests. It is our belief that a feeling of resentment among the Arab people of Palestine, consequent upon their disappointment at the continued failure to obtain any measure of self-government, is greatly aggravating the difficulties of the local Administration, was a contributory cause to the recent outbreak and is a factor which cannot be ignored in the consideration of the steps to be taken to avoid such outbreaks in the future."—Shaw Report, p. 131.

"It is, in our view, incontestable that difficulties inherent in the Balfour Declaration and the Mandate are factors of supreme importance in the consideration of the Palestine problem."—*Ibid.*, p. 139.

"The fundamental cause, without which in our opinion disturbances either would not have occurred or would have been little more than a local riot, is the Arab feeling of animosity and hostility towards the Jews consequent upon the disappointment of their political and national aspirations and fear for their economic future. . . . The feeling as it exists to-day is based on the twofold fear of the Arabs that by Jewish immigration and land purchase they may be deprived of their livelihood and in time pass under the political domination of the Jews."

—*Ibid.*, pp. 163-4.

LET no one suppose that Zionism is an unimportant factor in Imperial policy or that the incidence of its effects is confined to Palestine. On the Jewish side it is a world-wide movement with a powerful international organisation, and from the financial and official status of many of its supporters it bears an importance out of all proportion to their numbers. It may be an exaggeration to say that they can dictate to the most powerful chancelleries of Europe, but they can certainly exercise wide international influence. And on the Muslim side

it has reactions from Nigeria to Borneo, and is gradually poisoning the mind of all Islam against us.

Ultimately the whole problem has its roots in a deep ambiguity which has been present in Zionism itself from the beginning and has clouded every British pronouncement upon the subject. This ambiguity consists in two interpretations of Zionism, one of which envisages a Jewish State in Palestine, and the other merely a Jewish cultural centre.

This ambiguity was present in the Balfour Declaration made on November 2nd, 1917, on behalf of His Majesty's Government. This stated :

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country."

It reappears in the following clauses of the Preamble to the Mandate for Palestine :

"Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country ; and

"Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country."

The same ambiguity still runs through the most

explicit of British declarations of policy, which was issued by Mr. Churchill in June 1922 :

“ The tension which has prevailed from time to time in Palestine is mainly due to apprehensions, which are entertained both by sections of the Arab and by sections of the Jewish population. These apprehensions, so far as the Arabs are concerned, are partly based upon exaggerated interpretations of the meaning of the Declaration favouring the establishment of a Jewish national home in Palestine, made on behalf of His Majesty's Government on November 2nd, 1917. Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that Palestine is to become ‘ as Jewish as England is English.’ His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated, as appears to be feared by the Arab Delegation, the disappearance or the subordination of the Arabic population, language, or culture in Palestine. They would draw attention to the fact that the terms of the Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish national home, but that such a home should be founded *in Palestine*. . . .

“ During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs ; an elected assembly for the direction of its domestic concerns ; elected councils in the towns ; and an organization for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew Press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious, and social organizations, its own language, its own customs, its own life, has in fact “ national ” characteristics. When



it is asked what is meant by the development of the Jewish national home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right, and not on sufferance. That is the reason why it is necessary that the existence of a Jewish national home in Palestine should be internationally guaranteed, and that it should be formally recognized to rest upon ancient historic connection."<sup>1</sup>

Even this last pronouncement does practically nothing to define "national home," and the reader is left to speculate on the phrase itself. On the one hand it is contended that if only a cultural centre had been intended, there would have been no need for a declaration of a "national home," or for providing "such political, administrative and economic conditions as will secure the establishment of the Jewish national home" (Article 2 of the Mandate), or for the immigration, settlement on land, and naturalization of Jews.<sup>2</sup> On the other hand, some restriction of the political connotation of the expression "a national home" is implied by the fact that it was preferred to "Jewish Commonwealth," and to "the re-establishment of Palestine as the national home of the Jewish people," both of which expressions were considered and discarded.<sup>3</sup>

It is undoubtedly the "Jewish state" interpretation which inspires the Zionist movement and which incenses

<sup>1</sup> Cmd. 1700 (1922), pp. 18-19.

<sup>2</sup> J. Stoyanovsky, "The Mandate for Palestine," p. 75.

<sup>3</sup> *Ibid.*, pp. 78-9.

the Islamic world. It is easy to sympathize to some extent with both parties. There is something pathetic in the fact that the Jew has no national home.

"In every land a guest,  
Of many lands a lord,  
In no land King is he."

There can be no question but that the self-respect of the Jewish race the world over would be enhanced by the possession of a national home, and what is more natural than that they should seek it in the land which was theirs of old? Moreover, the Jews can claim that they have been promised a national home in Palestine by the League, and by the British Government, which accepted the Mandate; that their ancient association with the country has never been broken; that they, who have contributed so much to the religion and general civilization of the world, have it in them to develop, and that they long to develop, a distinctive civilization and culture of their own, a culture which might greatly contribute to human welfare generally; but that a purely cultural home subject to alien laws and influence would be likely to foster a derivative and finical dilettantism rather than the natural literature and art that draw their inspiration from the life of a free people; and finally that Jewish settlement brings money into Palestine and benefits the Arab.

The arguments of Arab spokesmen before the Shaw Commission and elsewhere, found themselves primarily on two simple propositions. The first is that Palestine has been an Arab country for at least as long as England has been English, and the second is that the Arabs were promised self-government during the war and threw off the Turkish yoke mainly on the strength of that promise,<sup>1</sup> which ante-dated the Balfour Declaration.

<sup>1</sup> Stated to be contained in the still unpublished correspondence between Sir Henry McMahon and the Sherif (Hussein) of Mecca, which preceded the entry of the latter into the war on the side of the Allies.

Into the endless controversy which centres round the second of these—whether the Palestine of to-day really fell within the area covered by the promise, and so forth—space forbids entering, but the first is substantially true. In any case the Arabs point to neighbouring Arab countries in which the British Government has agreed to self-government, and they suggest that the solitary obstacle in Palestine comes from the policy of the Jewish national home. The Arab also contends that the majority of the inhabitants of any country have a right to control immigration, and that to enforce immigration into an old and, in relation to its fertility and normal agricultural usages, quite thickly populated land, is in the long run to dispossess the Arab and make him a landless serf, a wage slave of Jewish cultivators. The Arab also sees in this immigration an ultimate menace to his own numerical majority, and thus a step to a completely Jewish controlled State. This particular fear is quickened by the recent enlargement of the Jewish Agency (which under the mandate represents the Jews to the Government of Palestine) so as to bring new funds from non-Zionist Jews to the development of Jewish settlement in Palestine. It is also quickened by the Jewish interpretation of the phrase “the Jewish people” in the mandate as meaning not merely the Jews actually in Palestine, but the whole Jewish race. The capacity of Palestine, which after all is only the size of Wales, is limited and it can never absorb more than a small representative community of Jews, but if the national home is to belong in any real sense to the Jewish race as a whole, the Arab fears that there might be an attempt to introduce some system of absentee voting which would reduce the Arab majority to a small minority.

None of the religious grievances in connection with the Wailing Wall have even been mentioned. They are too complicated to discuss here, but they are

important. Jerusalem is to the Moslem the third of the Holy Cities of his Faith. Yet other grievances of the Arab concern the Dead Sea salts concession, the fact that a Jewish High Commissioner was sent to Palestine, the poor type and Marxian politics of some of the Jewish immigrants and the utter impossibility of assimilating these immigrants into the normal life of an Arab State. They make, in fact, of *his* country a "two stream" or "bi-national" country—one of those "mixed States" incidentally, from which the Hilton Young Report would withhold responsible government. The Arab refuses to acknowledge any obligation arising from the benefits to him of the flow of Jewish money into Palestine, since the benefits to him are merely unintentional secondary consequences of a policy to which he is opposed. Yet other grievances concern alleged special privileges accorded to Jews, as the Arab conceives, in the teeth of Article 15 of the Mandate.<sup>1</sup> A good example is the Arab complaint that the Zionist organization has direct access to Government both in London and in Palestine, while the Arabs have not. Yet another example is the alleged fact that it would be impossible under the mandate to set up an Arab national home, with equal encouragement of Arab immigration.<sup>2</sup>

But the Arab's strongest argument is the moral one. *His* land is being taken from him directly or indirectly, by an economic pressure which he cannot resist and which is due to the Jewish immigration. No amount of temporary monetary easement can compensate the

<sup>1</sup> This provides that "no discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language."

<sup>2</sup> It is considered that the Arab race as a whole has no racial but only a religious interest in Palestine. It cannot therefore claim to immigrate "as of right." Yet it might be held that the existing civil rights of the Arabs included a right of free or at least conditional mobility into and back from the neighbouring Arab countries.

Arab for the loss of his land, and though much of the land occupied by the Jewish settlers is land reclaimed by them, much also has been bought from him. Under the terms of the mandate it is not easy for Great Britain to oppose this, although it is utterly inconsistent with the principle by which rigid control of European land purchases is maintained in both West and East Africa.<sup>1</sup>

But when the full suggestion of a Jewish State<sup>2</sup> is put forward as the legitimate development of the policy in the mandate, the moral case of the Arab becomes overwhelming. The Jewish contentions are indeed exiguous moral grounds for robbing (as a Jewish State would rob) the Palestine Arabs of their right—which would otherwise be unquestioned—to their own country and to political power in it. The Jewish race is not to be envied such self-respect as it might acquire by taking another race's country from it. The thing is, frankly, wrong.

The promise of a national home *in* Palestine is of course a British pledge, but it was not a promise to make *of* Palestine a national home, and it would be fully honoured by giving to Jewish settlements in reclaimed land in Palestine guarantees that their municipal self-government would not be interfered with by the Government of a self-governing majority-controlled and therefore Arab-controlled State in Palestine, and by guarantees against differential taxation or other unfairness—

<sup>1</sup> In an interesting letter to *The Times* of May 21, 1930, Sir William Barton, lately British Resident at Hyderabad, Deccan, urged the impossibility of Arab landowners keeping their lands in face of the willingness of Jewish capitalists to pay an uneconomic price for them; and urged legislation to prevent the Arab from parting with his lands outside his clan or group, on the lines of the Punjab Land Alienation Act, which largely saved the martial races of that Province from the Hindoo moneylender, or of Lord Kitchener's Five Feddan Law, which was designed on similar principles to protect the Egyptian peasant from the Greek moneylender.

<sup>2</sup> For an exposition of the "Jewish State" theory cf. Col. J. C. Wedgwood, "The Seventh Dominion."

in a word, by a Jewish Protectorate in Palestine analogous to the Chinese Protectorate in Malaya, but with larger powers, including powers to protect municipalities and to have *prima facie* unfair legislation referred to the Secretary of State. These provisions should give ample scope for the continuance and considerable increase of Jewish association with Palestine, and should also afford an opportunity for Jews to develop there a distinctive culture, while at the same time controlling their own municipal institutions, exercising some influence on government as a powerful minority, and with a kind of right of appeal to the Secretary of State.

In the matter of the possibility of a Jewish culture, however, there is a certain widespread confusion of thought between two inconsistent Jewish ideals. On the one hand there is the ideal of such a civilization as has been referred to. On the other hand there is the ideal of setting up in Palestine a "city of refuge" for the oppressed Jews of Eastern Europe. He must be an embittered or unreasonable man who does not sympathize with both these ideals. The former is a noble, the latter a generous and humanitarian conception. But they are utterly inconsistent. A very remarkable Jewish civilization indeed could probably be produced if a substantial body of the successful members of that race were to forsake the "feshpots of Egypt" and accept poverty in Palestine in order to teach in its schools, develop its religious life, and form there speculative and artistic circles contributing to the philosophy and art of the world. But all that cannot be done by sending to Palestine, not the best but the most miserable and unfortunate and least cultivated members of the race.

That, however, is in a sense "their affair." From the point of view of the British Government the fundamental fact is surely that it cannot be right for that

Government to set before itself an aim for the Jews which it is wrong for the Jews themselves to aim at.

Turning from the moral issue to that of mere expediency, what is the position, from the point of view both of the British Government and of the Jews, of the adoption of the "Jewish State" interpretation of the "national home"? For the Jews surely there can be but one answer. For an individual, wrongdoing is almost always, in the long run, inexpedient. It is never expedient for a race. If a Jewish State were established in Palestine at the cost of a great wrong to the Arab race, that race, which has long memories, would never forgive it. The Jewish State would start handicapped by the hostility of its neighbours as well as by that of its own proletariat. The perpetual peril of foreign invasion must be added to the terrors of internal massacre which recent events have shown to be a far from empty possibility for Jews in Palestine. It is only looking the plain facts in the face to say that a Jewish State of Palestine would be peculiarly liable to invasion and that its invading enemies would be comforted with every possible succour and information, and perhaps supported in open rebellion, by the Palestinian Arabs. Such a State would not have in it the elements of permanence and might count itself fortunate if it equalled in years the similar unnatural political fabric which the Crusaders once reared in Jerusalem. And for this the Jewish race would have assumed the stigma of having engaged in a great wrong. There are also incidental possibilities—in view of the anti-semitism which occasionally prevails in Roman Catholic communities—that the existence of such a Jewish State in Palestine would be resented in certain countries and would lead to Jewish disabilities there. From their own point of view the Jews, once they abandoned the legitimate idea of a politically limited "national home" in Palestine and aimed at the creation of a

Jewish State there, would be acting with a disregard of expediency amounting to extreme unwisdom.

Nor does expediency suggest a different course for the British Government to take. It cannot afford to become the object of deep and lasting resentment throughout the Islamic world. It is sometimes forgotten how unified that world now is. "The whispering galleries of the East" have now been reinforced as rumour-carriers by the telegraph and the telephone, as well as by railways and motor-cars. From Northern Nigeria alone every year some 10,000 Mohammedans set out on pilgrimage to Mecca. At Mecca pilgrims from Palestine and the surrounding countries meet pilgrims from India, and Malaya, and Borneo. Gradually, year by year, the point of view of the Palestine Arabs spreads. Is it worse policy to disappoint the Jews of the world than to infuriate the Muslim world? It must not be forgotten that geographically Islam lies open to penetration by the agents of Moscow, or that Great Britain is the largest Mohammedan power.

Upon this whole question the Dominions would probably be divided. Few of them have extensive contacts with the Mohammedan world, and few therefore are likely to realize its strength. The spectacle of a distracted Palestine should have for them more than a languid interest, and Biblical memories might suggest to the ill-informed a case for complete Jewish control there, but the Dominions have a fund of fairness as well as of common sense, and investigation should lead them at least to modify any initial Zionism of the "Jewish State" type which they might entertain, and perhaps even to adopt the "cultural centre" theory in the form here suggested, that is, in conjunction with the widest local self-government for the Jewish areas and a Jewish Protectorate, having some analogies with the Chinese Protectorate in Malaya, to safeguard them.



## PART VII. THE FUTURE

### CHAPTER XXVI

THE FUTURE OF BURMA. OUTLYING PROTECTED STATES.  
WEST INDIAN FEDERATION. THE FALKLAND ISLANDS,  
ETC.

"But the religion of a people is what the people make it. No doubt the Burman honestly thinks that he believes in the teaching I have described; yet he somehow manages to get more enjoyment out of religious observances than anyone else does. There could be no better cure for a fit of the blues than a Buddhist festival in Burma. The springless bullock-carts, packed tight with young men and girls, racing against one another over the plain, every bump calling forth peals of laughter; the poorest of the crowd dressed in clean bright clothes with at least one piece of silk; merry family parties climbing hand in hand up the long flights of steps which lead to the sacred buildings; even the rapidly intoned texts, with their accompaniments of tinkling bells and silver high-toned gongs: such scenes make one forget that Buddhism is in theory one of the gloomiest of religions. Not that there is any irreverence. While the party is performing its religious duties the most mischievous maid is at least outwardly serious, and the tiniest mite does his best to look solemn like his elders, though circumstances may sometimes be too much for him."

—R. GRANT BROWN, in "Burma as I saw it," pp. 104-5.

EXCEPT for some criticism of the references in the Simon Report, nothing has been said of Burma, which is, of course, covered by the Montagu Declaration, and is therefore presumably doomed to the operation of "democratic" oligarchy. Yet, as the quotation at the head of this chapter suggests, Burma is an utterly different country from India, and it might be expected that the indigenous institutions of a people by comparison so advanced socially would yield a principle, which with careful fostering might mitigate the evil of oligarchy. Such a principle is in fact to be found in the

old Burmese system of local government, and a very interesting suggestion for basing Parliamentary institutions upon that system instead of on direct election is contained in the book from which this quotation is taken. The passage is as follows :

“ We have seen that in Switzerland, one of the most democratic of States, there are no parties in the English sense, that the executive is habitually re-elected, that candidates are chosen by the people and not by a caucus, and that the tendency of the electorate is to pick the best man for the job rather than one who will support a particular policy. We have seen also that this state of things, so different from that in England, is attributed to the training of the Swiss in an indigenous system of local government, to which we in England are strangers. Now the Burmese also have had, for thousands of years, an indigenous system of local government, the only representative institution they understand, and one which has stood like a rock through all their history ; the system of village headmen and village committees elected by the people. As I have shown in a previous chapter, it is the one stable element in indigenous institutions. The principle of election to the headmanship has resulted in the existence of a body of men imbued with an idea of public service rare among Orientals. The headmen are even now as nearly representative of their villages as anyone who can be found, and they can be made more so by requiring their election to be in every case by secret ballot, while at the same time their office could be made more dignified and independent. It would surely be better to extend this principle than to introduce one which is entirely foreign to the people's ideas.

“ What should be aimed at is not the two-party system (an instrument of government which is impossible as long as British rule lasts, and probably impracticable in Burma altogether), but representation of the people ; and this is far better secured by their electing someone who lives among them and whom they know well, than by their accepting a stranger imposed on them by a

party caucus. If a representative Government is sought, as distinguished from a body of men elected for the purpose of overthrowing the Government, it could be obtained by making the headmen electors for the circle boards, who would elect the district councils, who would in turn elect the national council. This would be self-government in a far truer sense than the new and exotic system of direct election to a legislative council. Instead of the candidate being a complete stranger, selected by a distant caucus on the ground of his ability to persuade the villagers to join in overthrowing the Government, he would be a resident of the village, and would be chosen by the villagers themselves as a man who is likely to treat them well and to further the interests of the village. Such a system would not, as the present one does, tend to throw the Government of the country (so far as it is not British) into the hands of a few rich men, lawyers and professional politicians, whose interests are often opposed to those of the mass of the people. It would enable the voices of the rural population to be heard; and the rural population is nine-tenths of the whole.

"My belief is that with this system a form of government could be evolved which would be, as compared with all other Oriental governments, stable, just and efficient, and would make for the prosperity of the whole people and not only for that of a class. Further, it can be combined, as the present system cannot be, with protection from a great military Power which sincerely desires the happiness of other peoples as far as is compatible with its own interests. If the Burmese home-rulers are wise, and really desire the prosperity of their country, they will petition the King to do away with the foreign electoral system which has recently been introduced among them, and to substitute one which is consonant, not only with democratic principles, but with their own genius, institutions and needs.

"Under this system there might be parties as in Switzerland, but the members of the Legislature would be chosen, not by the party caucuses, but by the people; indirectly it is true, and by electors selected for their fitness to fill local posts rather than for their political

opinions. There would be far less likelihood than now of a party with a majority in the Legislature pledged to destroy the executive and therefore the British connection. This electoral system would be equally well suited for the present dual control, or for home-rule within the Empire, or for an entirely independent government. It would be a real preparation for self-government in both senses of the word. The present electoral system is not a good preparation for self-government in any sense."

This suggestion merits the closest attention of any body which is charged with the framing of a constitution for Burma. It is one of the most hopeful and really constructive suggestions made of recent years in connection with government in the East. In a sense there runs through it some savour of the principle of indirect rule. Boldly developed, it might lead to a new type of Imperial government. It contains more than the germ of a new Imperial ideal. Why is it assumed that Burma *must* wait on India?

There remain various scattered Dependencies in connection with which no very obvious or clear principle of government has yet emerged.

There can be little doubt that ultimately the future of the West Indian Colonies must lie in some form of federation in association with British Guiana and British Honduras. It may not come about until there has been a great development and cheapening of air services, but the West Indian Islands, along with British Guiana, lie on the main air route between the Americas, and there are already signs that air development is coming rapidly. Hitherto the dominant political principles of the group have been the maintenance of political and constitutional individuality in the members and conference on joint interests, but the collapse of the sugar industry is drawing many of these Colonies together. Federation, very loose at first and

perhaps only to be achieved by gradual accretion to a federal system, is in the long run inevitable.

Will not the obvious future of the group then lie in representation as such on the Imperial Conference? There would appear to be only one feasible alternative, namely, attachment to Canada. The suggestion was recently made by Lord Willingdon that, in view of the heavy burdens facing the British Government, Canada should assume responsibility for giving the British West Indies further help. Such a suggestion, if acted upon, would go far beyond the operation of trade treaties in the direction of establishing close relations between Canada and the West Indies. Already the volume of Canadian trade with the West Indies is measured in millions, and with the increasing interdependence of the temperate and tropical zones it seems likely to grow.

Yet what formal tie could grow out of such a close association? The West Indies could not enter the elaborate structure of Canadian federal government, and if they did would probably only suffer, as the Maritime Provinces have suffered in the past, from the neglect of a government that necessarily has its centre of gravity elsewhere. Moreover, such association would take no account of the ties which similar conditions promote between the West Indies and other countries. The similarity between the life of the Colony of Sierra Leone and that of the West Indies has already been pointed out, but sugar allies them also with Queensland and Natal. When the West Indies have replaced sugar by other tropical products, such as ground-nuts, cocoa or cloves, new affinities will have been established with West Africa and elsewhere. In connection with none of these would a close formal or political connection with Canada be of any special service. On the other hand, such community of interests would find ample opportunities of co-operation on the Imperial Conference.

Finally, those who are acquainted with the political temper of some of the larger West Indian Islands discern an attitude which is far from likely to be content with any status short of the highest. On the whole, therefore, it would appear that the most probable line of development is by way of federation to representation on the Imperial Conference.

It seems likely that the Dominions will welcome all such developments, firstly, as promoting the general economic unity of the Empire; and secondly, as setting at rest any lingering doubts which they might entertain regarding the existence in the Empire of forms of government, such as trusteeship and indirect rule, which do not bear the superficial impress of democracy. Of the more scattered Dependencies, such as the Falkland Islands, Malta, Gibraltar, etc., etc., it can only be said that they will be in no worse position than at present, that many of them would naturally find representation by means of some arrangement with a neighbour, as Ulster or the Isle of Man would be represented by Great Britain, and that ultimately it might be possible to find them representation as such, that is, by the presence in the Imperial Conference of a delegate representing the more scattered Dependencies. This development also might be expected to please the Dominions.

To sum up this general argument, it would appear that ultimate representation on the Imperial Conference is the natural goal of all large groups of Colonies, Protectorates or protected States; and the provisional tone of some of the mandates encourages the hope that sooner or later these anomalous entities may be allowed to enjoy the stability which would come from incorporation in stable political units, and in the case of those in the British Empire, to work towards representation on the Imperial Conference.

It is a commonplace that the whole world is drawing closer and closer together as modern transport develops,

but the inevitable corollary for all Colonies and Dependencies is not so generally recognized. It is the impossibility of isolation. It is significant that the two most hopeful principles of Colonial government—trusteeship and indirect rule—are the two which are best adapted to enable Dependencies to survive the devastating consequences of increasing contact with modern civilization. Only in so far as they realize that need can Imperial ideals for the Dependent Empire find useful spheres of application in the future.

## CHAPTER XXVII

### FUTURE OF THE EMPIRE. ARCTIC LANDS AND THE AIR ROUTES. ROMANCE AS BOND OF EMPIRE

"It extends from where Canada's outlying islands almost touch the North Pole to where the Falklands Antarctic territory and New Zealand's Ross Sea Dependency meet each other at the Southern Pole."

—MR. AMERY at Victoria, B.C., *January 8th*, 1928.

IF the student of Empire will step back for a moment from the canvas and abstract in his mind from the special problems of its particular areas, the whole will take on in his mind a new perspective. If he ponders the growth of England and compares her Empire with that other Empire which alone is comparable to it, he will see ground in plenty for misgivings, but ground also for hope. Foolish policies were pursued from time to time by the ancient Empire of the Romans, yet in spite of much rottenness at the centre, reduced legions on the frontiers and successive internal convulsions, the firm edifice of Roman power lasted from age to age; and even after it had finally crumbled in the West, the Eastern half of the fabric, much renovated no doubt but still structurally continuous, survived for centuries, and played a momentous part in safeguarding Europe from Islam.

The Roman Empire was faced by not a few of the problems which are the present problems of the British Empire. The problems of race in Africa, of religion in the East, of the Jews and their neighbours in Palestine and of the desert-dwellers beyond it—these problems, which troubled the Romans, are with us to-day. That more difficult and subtle problem which comes from



the presence of unassimilated races and cultures, assailed the Roman Empire as it assails us. To the stern virtues, moral and religious rectitude, aristocratic ideals and public spirit of the Romans, the nimble-witted dialectic and sceptical speculations of the Greek mind were a perpetual and weakening solvent. Luckily the Roman was not impressed by Greek theories of government,<sup>1</sup> having ever in mind the divided and distracted Greece which he had conquered and united; but the English mind is very far from proof against the subtle suggestions of races which are ever ready to criticize an Empire that they themselves could never have founded. "Self-determination," "nationality," "Home Rule for India," "Home Rule for backward countries," "the self-opinionated bureaucracy of India," "the iron heel in Egypt," "jingoism," here are but a tiny few of the subversive catchwords or epithets with which unassimilated "British" races have sought to stab in the back the best friends of all the oppressed and degraded peoples of the East and of Africa. But though we have partially yielded to those and similar suggestions, we have still a resource which was denied to the Romans. We can still look for help beyond the seas to new and virile British communities, many of them extremely English in their national outlook, whose practical idealism, when informed by some study of the facts, is likely to consult the happiness of native peoples rather than the follies or wickedness of native upper classes.

Finally, when we look to the sources of the stability of Roman power, we see principles, formulæ and ideals which are strangely familiar—religious toleration, recognition of indigenous systems of local government, acquiescence in native laws and customs, incorruptible machinery of justice, strategic roads, efficient police,

<sup>1</sup> There are, of course, exceptions. As Maine points out, the concept of "natural law" had a marked effect. Cicero is supposed to have followed Aristotle.

and last but not least, able and farsighted administrators. The analogy is irresistible, and the hopes of permanence which it suggests are strong.

They become still stronger if we reflect upon a matter which very powerfully supported the unity and continuance of the Roman Empire, namely, the extraordinary appeal which that Empire—largely through its unified institutions—made by its size and grandeur and romance to the feelings of its citizens. Even now it is not easy for the most prosaic of us to stand unmoved amid the pathetic ruins of the forum and mark the course of that *via triumphalis* where wound so many processions of conquerors, displaying the spoils of the East or West and the captive monarchs of many lands. How powerfully the grandeur of the Imperial ideal affected an educated mind might be illustrated from the writings of St. Paul, to whom the pomp of the Legions was a fertile source of metaphors. To give a single example, he thinks of the march of a body of soldiers from Rome or some other city, of the hurried scramble at dawn from night tavern or brothel to reassume armour and burnish accoutrements, and making of the image a noble exhortation, he cries :

“Put off the works of darkness and put on the armour of light.”

Innumerable references in Roman literature attest similar feelings, and the ideals with which that sense of grandeur and romance was coupled, were not so very different from our own. The motto of the India Office might well have been.—

“Parcere subjectis et debellare superbos.”

To enter on the romance of the British Empire is to embark upon an illimitable sea, for almost every one of its innumerable centres and aspects is a centre or an aspect of romance.

Islands of the Empire, to take a subject absolutely at

random—is there any limit to the romance of these? Lonely islands, like Norfolk Island, or Christmas Island, or Tristan da Cunha, set in the great oceans, or the lighthouse islands of the Red Sea; great islands like Ceylon, or New Britain, or little-known Socotra; fairy islands of the South Seas; spice islands like Zanzibar and Pemba; old storied islands like Cyprus, or Malta with its fadeless memories of the Knights of St. John;—of what volumes of romance these names speak.

Railways of the Empire—as one travels from Bombay to Calcutta and passes successively from Bombay time to central time, and so to Calcutta time, or on the long journey from Calcutta to Madras, as one marks the changing peoples and costumes and the different languages in which the names of the stations are written, one suddenly realizes the immensity of these railway systems, and the vast area of the world which they cover. A similar feeling has been described by many travellers on the Canadian railways. One travels a thousand miles from East to West on the C.P.R., and friends meet one at the station with the question: “What do you think of *Eastern* Canada here? Are you going West?”

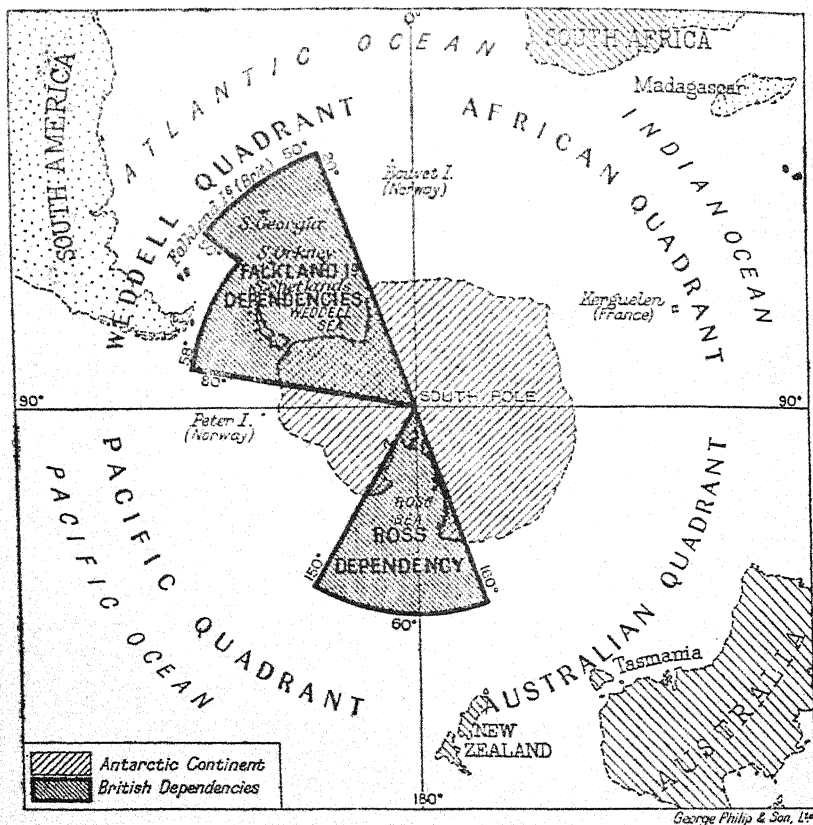
And so with aspect after aspect of the Empire. There is romance in the very stones of Parliament buildings like those at Ottawa, or Canberra, or New Delhi, for the high hopes they symbolize; in cathedrals like Canterbury, or in another world that structure which when completed will answer symbolically the challenge of the mosque at Nairobi; in roads like the Grand Trunk; in lakes like the Sea of Galilee; in seaways and desert routes; in unclimbed mountains and unexplored forests; in ports, harbours and capital cities; in ancient and storied rivers like the Ganges, or the Godavari, or the Indus, or the Nile, or Jordan; in mighty rivers of the new worlds like the St. Lawrence or the Murray; in the battlefields of the Empire; in the

traditions of its navies and armies ; in the graves of its famous men. Of these latter, that of Rhodes on the Matoppos must be for ever a place of pilgrimage in Africa.

The list is inexhaustible, but in a broad survey of the Empire there are three subjects of romance which for other reasons also demand a special reference. They are the Arctic lands, the air routes and certain ancient cities.

As tillage spreads in South America with the growth of population, the pastoral husbandry of the world will suffer a contraction. There are only two vast untapped areas of the world which can reasonably supply the deficiency. They are Siberia and Arctic Canada. The turn of the former will doubtless come first, but there are not a few who hold that the vast tundras of Arctic Canada are capable of supporting a reindeer industry with herds aggregating totals of the order of a hundred millions. This estimate is a scientific one, arrived at by comparisons with the conditions under which reindeer herds, computed at several million animals, have been developed in Alaska. The Alaskan industry already places much reindeer meat on American tables. Making all allowances for more difficult transportation in Canada, and for valley and island formations less suitable than the valleys of Alaska for herding purposes, it is still possible to look forward with reasonable certainty to a time, distant perhaps but within our own century, when this vast development of the far north of Canada will have begun. This prospect of a "Wild West," of ranch towns and ranching life in the Arctic North, is not an anticipation altogether devoid of romance.

In the quotation from Mr. Amery which opens this chapter he mentions a fact which is one of the most striking geographical facts of the Empire yet is hardly ever mentioned on maps, never taught (except in New Zealand) in schools, and never mentioned in discussions



### THE "EGG-BOILER."

The Ross Sea Dependency and the Falkland Islands Dependencies are likely to assume a new and special importance in the coming Air Age. When regular air services are in operation along the East Coast of South America and from New Zealand via Australia to the other countries of the Far East, there will be strong economic reasons favouring the joining up of the two great routes. The obvious route of the line joining them is over these Dependencies. Its physical possibility will be practically established if the present experiment with a trans-Greenland route is successful.

of the Empire. It is that the two great inland seas of the Antarctic Continent, the Weddel Sea and the Ross Sea, together with their coasts and islands *and the two entire sectors of the continent in which they lie, right up to the South Pole in each case*, have been annexed by Great Britain. This means that two vast sectors of the continent, forming together a land mass roughly resembling an egg-boiler, with the narrow part at the South Pole, are British territory ; and as they embrace at their wider ends the only two reasonable inlets in the Antarctic Continent, and as one of them is roughly opposite South America, and the other opposite New Zealand, it follows that if ever it should become a feasible proposition to link the Americas with the Far East by an airway over the Antarctic Continent, the route will be from the Falkland Islands to New Zealand, an all-British route.

At first sight this may sound unlikely, but in sober truth it is quite probable. An air-route from England to Canada *viâ* Greenland is in process of actual survey, and the interior of the ice-cap of Greenland presents conditions very little if at all less severe than those of Antarctica. In either case the Polar route would represent a tremendous saving in time and distance. There are other possibilities in Antarctica, but these are clearly remote. It has been suggested, for instance, that once comfortable sanatoria had been set up in Arctic and Antarctic conditions medical science would make an increasing use of them, especially if it were possible to send to them by air in a few days from centres like Buenos Aires. That is all problematical, but the importance in the coming Air Age of the vast Arctic and Antarctic possessions of the British Empire—two further Empires in themselves—is not as a general fact problematical. Nor is it without romance.

For we are already living in the Air Age. Whoso will may watch at Croydon the departure of air liners that

connect with every port of the European Continent, and that constitute already one of the most important links with Egypt and India. Very shortly, it is hoped, and certainly within a few years, passengers will embark at Croydon for Sydney and Cape Town and Vancouver, perhaps also for Freetown and Accra and Lagos, or for Kingston and Georgetown.

These are obvious developments, but there are many others that are quite possible. The trans-African route is one. This would have to cross foreign territory, but the distance from the frontier of the Anglo-Egyptian Sudan to Lake Chad is less than 500 miles. Another route is indicated by the fact that the shortest and indeed the necessary air route between the whole eastern side of North America and the great capitals on the eastern seaboard of South America runs by the chain of West Indian islands, so many of which are British. A more general vista is afforded by the consideration that the British Empire was built up in the Age of Sail, and that many of its ports and cities necessarily declined with the new trade routes of the Age of Steam. But the Air Age must inevitably return in great measure to the old trade-wind and other routes of the Sailing Days. It is a very present possibility that many and many a backward corner of the Empire, which once afforded grateful rest and water and fresh vegetables to seamen, but where now derelict buildings and abandoned wharves bespeak the passage of the Age of Sail, may find in the Air Age a new prosperity. In this connection it will be remembered how many islands in the Indian Ocean and elsewhere belong to the Empire. The Seychelles, the Laccadive, the Maldive, the Nicobar and many others spring to mind as conceivable seaplane calling stations. It is certain that the growth of ocean air-traffic will be its own best insurance against the worst risks, for when several machines can fly together such risks are greatly diminished, and the probability

is that air traffic by sea will develop less in the form of daily services than in the form of weekly or bi-weekly services of several machines flying together. We are already in the Air Age, and it is not speculation but a fair presumption that long before its full development such caravans of the air will link Africa with the East by ocean routes whose wayside halts will be British islands, setting out from Mombasa or Dar-es-Salaam.

He would be indeed a singularly unimaginative person who was incapable of feeling the romance of the Imperial air-routes. At a critical period of the Great War the German people derived a valuable psychological stimulus from the running of a railway train. It was the Berlin to Baghdad Express. Its new rolling-stock, its new and burnished engine decked with roses as it pulled out from the Berlin station, the storied city of its destination, all alike conspired (with the aid of an enthusiastic Press) to capture the imagination of the German people and to hearten them. The analogy with the air routes of the Empire needs no elaboration.

The Germans found a magic in the name of Baghdad, yet Baghdad, with all its memories of the Caliphs and all its romance, has passed under British influence. It is the capital of a British-protected State. How many people in the Dominions realize that? How many realize that a more storied city even than Baghdad, a city enshrining the most sacred memories of Christendom, is situated in a British mandated territory? Even if they know that Jerusalem lies under the protecting ægis of the Empire, how many realize the details of the historical romance of that mandated territory? Hardly, one supposes, or the facts in the following quotation would not come, as they come to many, as a surprise:

“The plateau of Judæa rises up like a citadel over the lowlands; the passes leading down from it are few, narrow and tortuous, and, held by a vigilant army, almost impregnable except to manœuvre and surprise.



The Valley of Ajalon, the most northerly of the routes across the Shephelah, has always been a favourite pass with soldiers. When the Israelites first invaded the land, it was down Ajalon that Dan sought to reach the sea ; a force advancing west from the Jordan valley would strike the head of Ajalon after crossing the central range, and it was down Ajalon that Joshua drove the Canaanites in the first flush of his victories on that day when he had so much to do that he bade the sun stand still until it was accomplished ; up Ajalon the Philistines came to the very heart of the Israelites' territory at Michmash, and made a crisis in Israel's history that led to the establishment of the monarchy ; and in this valley David and Jonathan fought side by side. Here the Maccabees won their greatest victories, and here, too, were fought the most obstinate battles of the Crusades. Gezer, where David won a victory over the Philistines, is the Mont Gisart of the Crusades. . . .

"The Vale of Ajalon is the most northerly and the most important of the passes across the Shephelah to the Judæan plateau. A second pass is the Vale of Sorek, which now carries the new railway from Joppa to Jerusalem. It was in this valley that Samson performed his greatest exploits ; here, too, is the village of Bethshemesh, whose cattle brought the ark back from Ekron, whither it had been taken by the victorious Philistines ; here, too, is Ebenezer, the scene of so much hard fighting between the Israelites and the Philistines. A third valley is the Wady es Sunt, or Vale of Elah, as it is called in the Bible. This was the scene of David's fight with Goliath, and it was by this valley that Cœur de Lion at first proposed to march to Jerusalem before he changed his mind and went by Ajalon instead. It was to this valley, also, that David fled from the wrath of Saul and took refuge in the cave of Adullam. Other valleys are the Wady el Afranj and the Wady el Bizair running from near Hebron out on to the Philistine plain at Ashdod. In the latter of these valleys Sennacherib came to grief after defeating the Egyptians, and penetrating probably by way of the Vale of Ajalon to the investment of Jerusalem."<sup>1</sup>

<sup>1</sup> From "England and Palestine," by Herbert Sidebotham, pp. 11-13.

The romance of these old and storied centres of civilization will take on a new and active interest in the Air Age, not only for the people of England, but for those of Canada, Australia, South Africa and New Zealand. A journey to Palestine or Irak is for most of the world an impossible luxury in point of time. Few employees get a sufficiently long holiday to make it possible, and few employers can afford to leave their businesses for so long. But the Air Age is already bringing Cairo almost within the compass of a week-end trip from London, and Palestine and Irak of a fortnight's holiday. Air services to the Dominions will bring these centres also within reasonable reach.

Visits to these centres will bring with them realization of yet another aspect of the romance of Empire. Mr. Amery mentioned it in a few sentences in the speech already quoted :

"We have had the same task of restoring ancient prosperity, of freeing the poor man from misgovernment and oppression to enjoy the fruits of his labour in peace, in a country like Egypt. I have seen it carried on by a handful of young British officials under a few older advisers in these last few years since the war in countries like Palestine and Irak. I have seen regions desert only a few years ago, pestilential swamps, such as the great Plain of Megiddo was for centuries before the Great War, now waving with wheat-fields, and studded with prosperous villages ; I have seen Mesopotamia—once the world's granary, the centre of one of the greatest civilizations of the world, to which our own has owed very much, broken down by conquest after conquest, its canals destroyed, its economic and political organization shattered, a derelict barbarous country for centuries under the Turkish yoke—being organized and developed, a country where men and women can travel in peace and security from one end to another, where the peasant is beginning again to make use of land that had been untouched for centuries, where old canals are being reopened, where the mineral resources of the country

are being developed, where the old spirit of the Arab nation, once in the forefront of the world, is reviving under an Arab Government enjoying British advice and guidance.

Romance indeed can be a very strong bond of Empire. It is by itself hardly a sufficient bond. For what, then, may we hope ?

## CHAPTER XXVIII

### CONCLUSION. A GREAT OPPORTUNITY

IN a saying which has now passed into the current coin of the language, Kipling has embodied a very profound truth. "What should they know of England," he cried, "who only England know?" and the answer is—almost nothing, for it is not possible to know a nation of specialists where they do not specialize, or a nation of adventurers and rulers where they do not adventure, and rule only themselves.

From the dawn of the earliest history of which we have record, and far earlier if the latest theories of pre-history are to be believed, England has been the quest of adventurers and has been peopled by them. If the theory is accepted that the dark people of her western shores and of Wales are the descendants of prehistoric Iberian folk who came by sea, and that in prehistoric as in historical Saxon times, the eastern shore has received the most adventurous spirits of Scandinavia, there is need of no further inquiry as to why a nation of shopkeepers, when it forsakes its shops, becomes a nation of pioneers, of sailors and of rulers.

The pioneers are perhaps the most adventurous of all, and for that reason alone one need not fear for the future of the Dominions. But they have also the most narrowly circumscribed lives, and therein lies the greatest danger to the Empire. The stay-at-home Englishman may never understand the achievements of his countrymen, but at least he is in touch through his Press, as the Dominion Settler is not in touch, with the Dependent Empire. Broadly speaking,

to the Dominions the greatest achievement of the race is unknown.

How Empire has been piled on Empire until the very idea of the whole passes the comprehension of a man—that, indeed, they know vaguely, for it is evident on the map that each of the larger divisions of the Empire is an important Empire in itself. The family of the Dominions is an Empire. So is India. So is British Malaya. So is East Africa. So is West Africa. So, with Cyprus, are the territories of Palestine, Transjordan and Irak. So in area are the Antarctic lands of the Empire. But the great ideals of the Empire, past and future, its hopes and plans for India, for Malaya, for East and West Africa, for the innumerable tribes and peoples and lands of the great stewardship, these they do not know and cannot know until they are intimately associated in the government of it all.

Anglo-Saxon ideals may be divided into two groups, on the one hand those of the settled, white lands—"fair play," "playing the game," "the team spirit," liberty, etc., etc; and on the other hand the code of rulership—to maintain law and order where they do not naturally obtain, to defend the oppressed and curb their oppressors, a strict stewardship of funds, impartial justice, *noblesse oblige*, educative ideals, such newer ideals as that of the Dual Mandate, indirect rule, dignity. Either list might be extended indefinitely, but the point is that, broadly speaking, the whole scope and practical meaning of the second group are unknown to the peoples of the Dominions, and must remain unknown until they are associated in the rulership of the Dependencies as a whole.

A simple method of securing that association has been advocated in these pages, namely, the handing over to a permanent Imperial Conference of the control of the Dependent Empire. It is a method that has the signal advantage of providing a worthy and intelligible goal

for the evolution of all Colonies, Protectorates and Mandated Areas, namely, grouped representation on the Imperial Conference. But if that or some such method of associating the Dominions in the work is not employed, and if the Empire is allowed to continue without Imperial institutions, as at present, its doom is sealed. It cannot survive indefinitely as a mere sentiment in this new age of confused loyalties and kaleidoscopic changes in economic forces. It would be to the interest of too many forces to divide and weaken it. But in view of the increasing dependence of the whole world on tropical products, and of the fact that some of the richest tropical areas of the world lie within the Dependent Empire, it is clear that access to these areas and control of their development will be a very violent subject of contention with the Dominions if we do not now, as here suggested, make of these very areas the strongest bond of Empire.

As one thinks of the ideals old and new for the future of the Empire, which we might strengthen and add to in association with the Dominions, one's mind inevitably turns for a moment to contemplate the past. One cannot do so without the conviction that out of the ideals of the past and from the story of the men who stood for them, the Dominions, in taking up the torch, should derive a great spiritual incentive. One thinks, perhaps, not so much of such figures as Raffles, or the first Rajah Brooke of Sarawak, or of Cromer in Egypt, as of an innumerable company of lesser men who in special and peculiar spheres accomplished purposes peculiarly calculated to engage Dominion admiration. Two, and two only, shall be mentioned.

The first is "Handy," of the North-West Frontier (Mr. E. C. Handyside, Commandant of the Frontier Constabulary, who was shot dead on April 11, 1926, while searching for outlaws at the head of a party of Constabulary in a village ten miles from Peshawar), in his own way one of the greatest figures, perhaps the

greatest figure, of all the gallant gentlemen who have served on the North-West Frontier of India. In lands where the more desperate side of police work is rarely seen by the public, there must be an inevitable bathos in calling him the greatest of policemen, yet that title is his by right of extraordinary achievement where police work is grimmest—on the most turbulent frontier in the world. How his exploits, his cunning manoeuvres, his naïve and boyish enthusiasm, his admiration for the braver of the desperate outlaws who were his quarry, would have appealed to that other frontier force in Canada which, under conditions incredibly harsh though in a different way, maintains a great tradition. Yet one would learn with surprise that any officer or man of the Royal Canadian Mounted Police was able to read so much as a paragraph of obituary of “Handy” in any Canadian paper.

The other shall be John Kirk, Livingstone's lieutenant in the Zambezi Expedition of 1858–63, who afterwards laboured for twenty years in Zanzibar to cripple at its chief nerve centre the slave trade which was then desolating and depopulating all the countries of Middle Africa. One of the most shattering blows inflicted upon that commerce of horrors was the order which Kirk was mainly instrumental in securing from the Sultan in 1873 to close for ever the slave-market of Zanzibar. Upon its site there stands to-day the English cathedral, its altar upon the spot where formerly the slaves were flogged.

But it is not by their interest alone, or by the markets which they can offer, that the Dominions can assist the Dependencies. They can assist them by reinvigorating the whole atmosphere and psychology of the Dependent Empire. The history of every Empire of the past suggests that success has ever come through rising to the heights of the opportunities offered, failure through small-minded and short-sighted psy-

chology. The corruption of the Portuguese Empire, the cruelties and avarice of Spain are obvious examples, and while these particular vices are not to be anticipated in British services, loss of heart and conviction are only too prevalent and obvious in the Indian services to-day, and are already beginning to appear in Ceylon. With foolish policies elsewhere, they will spread elsewhere. With robust faith in the principle and spirit of trusteeship and in indirect rule properly defined, they should steadily diminish, and the vision of a new Empire should arise.

It should be a vision of close Imperial co-operation in the great trusteeship, of a co-operation expressing itself in Imperial institutions, and especially in the Imperial Conference, which should ultimately develop into an Imperial Senate commanding federal revenues, perhaps imposing a small flat rate Imperial tariff for addition to local tariffs, controlling navies, armies and air forces, charged with the general conduct of foreign affairs, and last, but not least, presiding over the destinies of the Dependent Empire. It should be an Empire of intense economic development, of rising standards of living and a fuller life in the Dominions, of steady amelioration of the diseases and squalid poverty of the backward countries, their corrupt upper classes being gradually inspired with a new spirit, and representatives of their common people being educated to render their demands articulate and to defend their interests, so that one day even they also may hope to tread the path already trodden by the Dominions, and through grouped representation on the Imperial Conference, to take an equal part in the Councils of the Empire.

In the long run the imponderables count more than economic and political bonds, but these are absolutely essential as a basis. When that basis is there the Imperial sentiment and the romance of Empire may be



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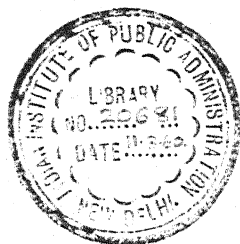
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